



ACTS  
OF THE  
PARLIAMENT OF THE UNITED KINGDOM  
OF 6110  
GREAT BRITAIN AND IRELAND

PASSED IN THE SESSION HELD IN THE

SECOND YEAR OF THE REIGN OF HIS MAJESTY

KING EDWARD VII.

BEING THE THIRD SESSION OF THE TWENTY-SEVENTH PARLIAMENT  
OF THE UNITED KINGDOM



OTTAWA  
PRINTED BY SAMUEL EDWARD DAWSON  
LAW PRINTER (FOR CANADA) TO THE KING'S MOST EXCELLENT MAJESTY  
ANNO DOMINI 1903





## 2 EDWARD VII.

### CHAP. 26.

An Act to substitute the Government of the Commonwealth of Australia for the Governments of the States of New South Wales, Queensland and Victoria in the Pacific Cable Act, 1901.

[8th August, 1902.]

**W**HEREAS, as a consequence of the transfer to the Commonwealth of Australia (under the constitution of the Commonwealth) of the posts, telegraphs and telephone departments in each of the States of New South Wales, Queensland and Victoria, any such obligation of the said States to provide money on account of the Pacific cable as is recited in the Pacific Cable Act, 1901, has been undertaken by the Government of the Commonwealth, and any right of the said States to share in the profits of the cable has become vested in the Commonwealth:

And whereas it is expedient to make such amendments in the Pacific Cable Act, 1901, as are necessary for the purpose of substituting the Commonwealth for the said States:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

**1.**—(1) The Government of the Commonwealth of Australia shall be substituted in the Pacific Cable Act, 1901, for the Governments of the States of New South Wales, Queensland and Victoria, and the Colonial Governments referred to in that Act shall accordingly be the Governments of Canada, of the Commonwealth of Australia and of New Zealand.

Substitution  
of Australian  
Common-  
wealth for  
States.

(2) Two members representing the Government of the Commonwealth of Australia shall be substituted, as members of the Pacific Cable Board in the Schedule to the said Act, for two members representing the Governments of the States of New South Wales, Queensland and Victoria, and the Government of the Commonwealth may appoint two members accordingly to represent them on the Board; but, until the Govern-

ment of the Commonwealth appoint a member in his stead, the Honourable Henry Copeland (the surviving representative on the Board of the Governments of the States) shall be one of the members of the Board representing the Government of the Commonwealth.

Short title.

**2.** This Act may be cited as the Pacific Cable (Amendment) Act, 1902.

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## 2 EDWARD VII.

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### CHAP. 36.

#### An Act to amend the Mail Ships Act, 1891.

[18th December, 1902.]

**B**E it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

- 1.**—(1) For subsection (2) of section three of the Mail Ships Act, 1891, the following subsection shall be substituted:—
- “(2) The security shall be the bond of the owner guaranteed, at his option, either—
- “(a) by one or more responsible sureties (whether natural or corporate persons) permanently resident within the jurisdiction of the High Court; or
- “(b) by the payment or transfer into court of cash or of securities of the Government of the United Kingdom.”
- Amendment of 54 & 55 Vict., c. 31 as to security for ships engaged in postal service.

(2) In subsection (5) of the same section, after the words “variation of conditions of the service,” shall be inserted the words “change in the residence or place of business or circumstances of any surety.”

**2.** This Act may be cited as the Mail Ships Act, 1902, and the Mail Ships Act, 1891, and this Act may be cited together as the Mail Ships Acts, 1891 and 1902.

Short title.

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ORDERS IN COUNCIL  
OF THE  
IMPERIAL GOVERNMENT  
TOGETHER WITH  
TREATIES NEGOTIATED  
BETWEEN  
HIS MAJESTY THE KING  
AND  
FOREIGN POWERS



OTTAWA  
PRINTED BY SAMUEL EDWARD DAWSON  
LAW PRINTER (FOR CANADA) TO THE KING'S MOST EXCELLENT MAJESTY  
ANNO DOMINI 1903





# ORDERS IN COUNCIL AND DESPATCHES.

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(Circular.)

DOWNING STREET, 3rd October, 1902.

SIR,—With reference to my predecessor's circular despatch of the 30th March, 1874, transmitting a copy of a treaty concluded on 3rd December, 1873, between Her Majesty Queen Victoria and the Emperor of Austria for the mutual surrender of fugitive criminals, I have the honour to transmit to you, for publication in the colony under your government, a copy of an Order of His Majesty in Council, giving effect to a declaration signed on the 26th of June, 1901, and ratified on the 25th of June last, between the United Kingdom and Austria-Hungary amending Article XI. of the Treaty of 1873.

I have the honour to be, sir,

Your most obedient, humble servant,

J. CHAMBERLAIN.

The Officer Administering  
the Government of Canada.

AT THE COURT AT BALMORAL, THE 15<sup>TH</sup> DAY OF  
SEPTEMBER, 1902.

*Present :*

THE KING'S MOST EXCELLENT MAJESTY.

H. R. H. the Prince of Wales.  
Duke of Fife.

Mr. Secretary Akers-Douglas.  
Sir Dighton Probyn.

WHEREAS by the Extradition Acts, 1870 to 1895, it is amongst other things enacted that, where an arrangement has been made with any foreign State with respect to the surrender to such State of any fugitive criminals, His Majesty may, by Order in Council, direct that the said Acts shall apply in the case of such foreign State; and that His Majesty may, by the same or any subsequent Order, limit the operation of the Order, and restrict the same to fugitive criminals who are in or suspected of being in the part of His Majesty's dominions specified in the Order, and render the operation thereof subject to such conditions, exceptions, and qualifications as may be deemed expedient;

And whereas a treaty was concluded on the third day of December, one thousand eight hundred and seventy-three, between Her late Majesty Queen Victoria and His Majesty the Emperor of Austria and King of Hungary for

*Extradition Treaty—Austria—Hungary.*

the mutual extradition of fugitive criminals, in the case of which treaty the Extradition Act, 1870, was applied by Order in Council of the seventeenth March, one thousand eight hundred and seventy-four;

And whereas a declaration was concluded on the 26th day of June, one thousand nine hundred and one, between His Majesty and His Majesty the Emperor of Austria, King of Hungary, amending Article XI. of the said treaty of the third of December, one thousand eight hundred and seventy-three, for the mutual extradition of fugitive criminals, which declaration is in the terms following:—

As it is considered necessary by the Government of Great Britain and Ireland and by the Governments of Austria and Hungary to extend the period of fourteen days fixed in Article XI. of the treaty for the mutual surrender of criminals, concluded on the 3rd December, 1873, between Her late Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, &c., on one side, and His Majesty the Emperor of Austria, King of Bohemia, &c., and Apostolic King of Hungary, on the other, the respective plenipotentiaries, undersigned, have agreed that—

The last paragraph of Article XI. of the said Treaty of Extradition shall be altered as follows:—

“Provided, however, that he shall be discharged if, within the shortest time possible, and at the utmost within one month, a requisition for his surrender in accordance with the terms of Article IX. of this treaty be not made by the diplomatic representative of the State which requests his extradition.”

The present declaration shall have the same force and duration as the Extradition Treaty of the 3rd of December, 1873, to which it relates.

The present declaration shall be ratified, and the ratifications shall be exchanged as soon as possible at London.

In witness whereof the respective plenipotentiaries have signed the same, and have affixed thereto the seal of their arms.

Done in duplicate at London, the 26th day of June, 1901.

For Great Britain and Ireland, His Britannic Majesty's Principal Secretary of State for Foreign Affairs,

L.S.]

LANSDOWNE.

For Austria and for Hungary, the Austro-Hungarian Ambassador,

L.S.]

DEYM.

And whereas the ratifications of the said declaration were exchanged at London, on the twenty-fifth day of June, one thousand nine hundred and two,—

Now, therefore, His Majesty, by and with the advice of His Privy Council, and in virtue of the authority committed to Him by the said recited Acts, doth order, and it is hereby ordered, that from and after the sixth day of October, one thousand nine hundred and two, the said Acts shall apply in the case of Austria and Hungary under and in accordance with the said treaty as amended by the said declaration above set forth.

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*Imperial Service Order.*

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Provided always, that the operation of the said Acts, shall be and remain suspended within the Dominion of Canada so long as an Act of the Parliament of Canada passed in one thousand eight hundred and eighty-six, and entitled "An Act respecting the extradition of Fugitive Criminals," shall continue in force there, and no longer.

A. W. FITZROY.

*Vide Canada Gazette*, vol. xxxvi., p. 814.

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(Circular.)

DOWNING STREET, 25th August, 1902.

SIR,—I have the honour to inform you that the King has been pleased to institute a new Civil Order of Distinction, entitled "The Imperial Service Order," of which I inclose the statutes.

2. The Order will consist of the Sovereign, the Prince of Wales and such Companions as His Majesty or His successors shall appoint.

3. The number of Companions is limited to 425, of whom 175 will belong to the civil services of the colonies and protectorates.

4. Only members of the administrative or clerical branches of the various civil services will be eligible for the Order, which will be confined to members of the permanent civil service of the colonies. Retired officers are not eligible for the Order.

5. It will be a necessary qualification that such persons shall, at the time of their nomination, have rendered twenty-five years' meritorious service in colonies with healthy climates, or not less than sixteen years of such service in colonies or protectorates which under the Pension Acts or regulations applying to those colonies or protectorates are recognized as unhealthy.

6. It will, however, be competent to His Majesty at any time to appoint specially to the Order persons who, not having completed the prescribed period of service, have rendered such eminently meritorious service as to qualify them for companionship.

7. The names of Companions will be published in the *London Gazette*.

8. Companions will have the privilege of adding the letter "I.S.O." after their names.

9. Members of any Order of Knighthood will, if otherwise qualified, be eligible for appointment to the new Order, and Companions of the Order will be in no way debarred from becoming members of any Order of Knighthood for which their services may qualify them.

10. It will be observed from the concluding statutes of the Order that the King has also been pleased to institute a medal, to be designated "The Imperial Service medal," which may be awarded on retirement to those members of the civil services who do not belong to the administrative or clerical branches of those services and are not therefore eligible for the grant of the Order, provided that they have rendered twenty-five years' meritorious service in colonies with healthy climates, or at least sixteen years of such service in colonies or protectorates which under the Pension Acts or regula-



*Imperial Service Order.*

tions applying to those colonies or protectorates are recognized as unhealthy. Only those whose retirement shall have taken place after the date of the Coronation will be eligible for the medal.

11. Any recommendations which you may have to make, whether for the Order or for the medal, should reach me not less than six weeks before New Year's Day, or not less than six weeks before the day which may hereafter be fixed for the observance of Coronation Day. Having regard to the limited number of companionships available for the colonies and protectorates, the appointments to the Order which can be made in any one colony will, of necessity, be few, and your recommendations should therefore receive your most careful consideration. The number of medals to be issued is not limited but, in order to maintain the value of the decoration, it is not to be regarded as a reward for merely long service, unmarked by special merit, and you will bear this in mind in submitting your recommendations.

I have the honour to be, sir,

Your most obedient, humble servant,

J. CHAMBERLAIN.

The Officer Administering  
the Government of Canada.

## STATUTES OF THE IMPERIAL SERVICE ORDER.

EDWARD, R.I.

EDWARD THE SEVENTH, by the Grace of God, of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, KING, Defender of the Faith, Emperor of India.

To all to whom these presents shall come,—GREETING :

**W**HEREAS, We are desirous of recognizing more fully than has hitherto been possible the faithful and meritorious services rendered to Us by members of the civil services of the various parts of Our Empire, We do by these presents, for Us, Our heirs and successors, institute and create a new Civil Order of Distinction—to be designated as hereinafter described—and We are graciously pleased to make, ordain, and establish the following rules and ordinances for the government of the same :

Firstly.—It is ordained that this Order shall henceforth be styled and designated "The Imperial Service Order."

Secondly.—It is ordained that the Order shall consist of the Sovereign, the Prince of Wales, and such Companions as We, Our heirs or successors, shall appoint.

Thirdly.—It is ordained that We, Our heirs and successors, Kings and Queens Regnant of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperors and Empresses of India, are and for ever shall be Sovereigns of this Order.

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*Imperial Service Order.*

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Fourthly.—It is ordained that only the members of the administrative or clerical branches of Our civil services shall be eligible for the distinction of Companions of this Order.

Fifthly.—It is ordained that the number of Companions of the Order shall not exceed four hundred and twenty-five, of whom two hundred and fifty shall belong to Our home civil service, and one hundred and seventy-five to the civil services of Our colonies and protectorates.

Sixthly.—It is ordained that no person shall be eligible to be a Companion of the Order whose name has not been laid before Us, Our heirs and successors, by one of Our or their Principal Secretaries of State, and who has not at the time of his nomination rendered at least twenty-five years' meritorious service in the United Kingdom. Provided that in a colony or protectorate which, under the Pension Acts or regulations applying to that colony or protectorate, is recognized as unhealthy, the minimum period of service shall be sixteen years: Provided also that it shall at any time be competent to Us, Our heirs and successors, to appoint specially to the Order persons who, not having completed the aforesaid periods of service, have rendered such eminently meritorious service as to qualify them in Our opinion to become recipients of this distinction.

Seventhly.—It is ordained that when We, Our heirs and successors, shall be pleased to appoint any person to be a Companion of the Order, such appointment shall be made by warrant under Our sign manual and counter-signed by one of Our Principal Secretaries of State.

Eighthly.—It is ordained that the decoration to be worn by Companions of the Order shall be a badge or medallion of gold and enamel, bearing on one side Our Imperial and Royal Cypher, and on the reverse "For Faithful Service," both to be executed in dark blue enamel on a plaque or shield of gold, surrounded by a wreath of laurel, surmounted by the Imperial Crown.

Ninthly.—It is ordained that the decoration shall be worn on the left breast suspended by a ribbon of one inch in width.

Tenthly.—It is ordained that the names of those upon whom We are pleased to confer the decoration shall be published in the *London Gazette*.

Eleventhly.—It is ordained that Companions of the Order shall have the privilege of adding the letters "I.S.O." after their names.

Twelfthly.—It is ordained that members of any Order of Knighthood shall, if otherwise qualified, be eligible to become Companions of this Order, and that Companions of this Order shall in no way be debarred from becoming thereafter members of any Order of Knighthood for which their services may qualify them.

Thirteenthly.—It is ordained that an officer shall be appointed to the Order who shall be styled "Secretary and Registrar," and who shall be *ex-officio* a Companion of the Order.

Fourteenthly.—It is ordained that the secretary and registrar of this Order shall be appointed by Us, Our heirs and successors, and shall have the custody of the archives of the Order, which shall be kept in the office of Our Secretary of State for the Home Department. He shall attend to the service of the Order and shall execute such directions as he may receive from Our Principal Secretaries of State.

*Regulations respecting Entry to National Museums in Italy.*

Fifteenthly.—It is ordained that those members of Our civil services who are not eligible for appointment as Companions of this Order may, on retirement from Our said services after not less than twenty-five years of meritorious services in the United Kingdom, or not less than sixteen years of such service in a colony or protectorate which, under the Pension Acts or regulations applying to that colony or protectorate, is recognized as unhealthy, be awarded a medal to be designated "The Imperial Service Medal," provided that no such medal shall be granted except on the recommendation of one of Our Principal Secretaries of State. Provided also that it shall be competent to Us, Our heirs and successors, to confer the medal upon not more than five civil servants in each year, who have retired after less than twenty-five years' services, should special circumstances in Our or their opinion justify the grant.

Sixteenthly.—It is ordained that the Imperial Service medal shall be of silver and of a design similar to that of the badge of the Companions of the aforesaid Imperial Service Order, and shall be similarly worn.

Seventeenthly.—It is ordained that the names of those persons to whom the Imperial Service medal shall be granted shall be duly published in the *London Gazette*.

Lastly.—We reserve to Ourselves, Our heirs and successors, full power of annulling, altering, abrogating, augmenting, interpreting, or dispensing with these regulations, or any part thereof, by a notification under the sign manual of the Sovereign of the Order.

Given at Our Court at Buckingham Palace, this eighth day of August, in the year of Our Lord nineteen hundred and two, and the second year of Our Reign.

By His Majesty's Command,

CHARLES T. RITCHIE.

The Permanent Secretary of the Treasury, and the Permanent Under-Secretaries of State for the Home Department and for Foreign Affairs, have been appointed a committee to communicate with heads of departments and to select from lists recommended by them the names of persons to be submitted to His Majesty for appointment to the Order.

*Vide Canada Gazette*, vol. xxxvi., p. 854.

(Circular.)

DOWNING STREET, 31st October, 1902.

SIR,—I have the honour to inform you that I have learnt from the Foreign Office that His Majesty's Chargé d'Affaires at Rome has reported that applications are being received at the British Embassy from various British colonial subjects, arriving in Italy for purposes of study, who having left their colony in ignorance of the new regulations with regard to entry without payment to the national museums, galleries, excavations and monuments of Italy, are not furnished with the necessary academic document upon which free passes are granted.



*Regulations respecting Entry to National Museums in Italy.*

2. I transmit, therefore, for your information and for such publication as may be considered desirable, a copy of a notice recently issued from the Foreign Office giving the substance of the law passed in April last in so far as it affects foreigners coming to Italy for purposes of study.

I have the honour to be, sir,

Your most obedient, humble servant,

The Officer Administering  
the Government of Canada.

J. CHAMBERLAIN.

*Inclosure to Circular dated 1st November, 1902.*

His Majesty's Chargé d'Affaires at Rome has sent to the Foreign Office the law regulating entry, without payment of the ordinary fee, to the national museums, galleries, excavations and monuments of Italy, which has been approved by the Royal decree of the 13th April, 1902.

The privilege of free entry is by the law accorded to foreigners who are—

(a.) Artists.

(b.) Art students and art critics who have issued noteworthy publications.

(c.) Professors of archæology, history, literature and art.

(d.) Pupils of archæological, historical and art institutions; students in the departments of literature and philosophy, and in schools of practical engineering.

Applications for a general permit for free entry to all museums, &c., must be sent to the Ministry of Public Instruction on stamped paper of 1 lira 20 c., with an unmounted photograph (of the applicant) not to exceed 5 centim. by 8 in size.

Applications for free entry to archæological and artistic institutes in a single town must be sent on stamped paper of 60 centimes to one of the heads of the institutes; and if the permit is required for more than a month, a photograph must be sent of the size mentioned in the preceding paragraph.

The applications must be accompanied by the following documents:—

For persons under (a) and (c), by an academical document *visé* by the Italian diplomatic representative or consul in the country to which the applicant belongs, or by the diplomatic representative of that country in Italy.

For persons under (b), by one of the publications which they have published.

For persons under (d), by an official document showing that they stand on the books of the institutions, mentioned under that heading, for the year in which they apply. The document must be *visé* as in the case of the documents furnished by persons under (a) and (c).

As His Majesty's Diplomatic Representative at Rome is not always in a position to authenticate without previous inquiry documents issued by institutions in the United Kingdom, art students, &c., are recommended to have such documents countersigned by the Italian consular officers in this country before leaving.

Foreign Office, June 17, 1902.

*Vide Canada Gazette*, vol. xxxvi., p. 898.





PROCLAMATIONS AND ORDERS

OF THE

GOVERNOR GENERAL IN COUNCIL

HAVING FORCE OF LAW



O T T A W A

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LAW PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

ANNO DOMINI 1903



# ORDERS IN COUNCIL, &c.

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## Department of Agriculture.

By Order in Council of the 30th of August, 1902, in virtue of the provisions of section 12 of chapter 69 of the Revised Statutes of Canada, the destruction of any or all horses affected with the disease of glanders was authorized with a view to exterminating as early as possible this disease in the Dominion of Canada.

*Vide Canada Gazette*, vol. xxxvi., p. 444.

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By Order in Council of the 15th of December, 1902, in view of the fact that there prevails in certain parts of the New England States, forming part of the United States of America, an infectious disease affecting animals known as foot and mouth disease; and in virtue of the provisions of chapter 69 of the Revised Statutes, intituled "An Act respecting Infectious or Contagious Diseases affecting Animals," it was ordered that the introduction or importation into Canada of cattle, sheep or other ruminants or swine, or their skins, hides, horns, hoofs, wool or bristles, coming from the states of Maine, Vermont, New Hampshire, Massachusetts, Connecticut and Rhode Island, forming part of the United States of America aforesaid, shall be prohibited until otherwise ordered.

Provided, however, that the dried or pickled or salted green cured skins or hides, and the horns, hoofs, wool and bristles of cattle, sheep or other ruminants or swine may be imported into Canada when originating outside of the said six states and not produced from animals grown or slaughtered in any of the said six states, although shipped from the said six states under regulations to be made by the Department of Customs approved by the Minister of Agriculture.

*Vide Canada Gazette*, vol. xxxvi., p. 1145.

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By Order in Council of the 15th of January, 1903, the Order in Council of the 5th of January, 1901, by which nursery stock was permitted to enter Vancouver, in the province of British Columbia, during the winter months only, from the 15th October to the 15th March, was amended by extending the time from the 15th October to the 15th April, instead of 15th March.

*Vide Canada Gazette*, vol. xxxvi., p. 1434.

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*Department of Agriculture.*

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By Order in Council of the 7th of February, 1903, the Order in Council of the 15th December, 1902, respecting the prohibition of the importation or introduction into Canada of cattle, sheep, or other ruminants, or swine, from certain states forming part of the United States of America, owing to the prevalence therein of an infectious disease affecting animals known as "foot and mouth disease," was amended by adding after the word "ordered" in the second paragraph thereof, the following words, to wit:—

"Except that animals not previously having been in any of the said quarantined states may pass from one part of Canada through the said state of Maine by the Canadian Pacific Railway to another part of Canada: provided said animals be so carried in bonded cars sealed, that they cannot be removed from said cars while within the said state of Maine."

*Vide Canada Gazette*, vol. xxxvi., p. 1620.

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*Department of Customs.*

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**Department of Customs.**

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By Order in Council of the 22nd of December, 1902, the name of the customs outport of Great Bras d'Or, under the survey of the port of Baddeck, in the province of Nova Scotia, was changed to New Campbellton, to take effect from 1st January, 1903.

*Vide Canada Gazette*, vol. xxxvi., p. 1206.

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By Order in Council of the 23rd January, 1903, the Order in Council of 14th July, 1898, placing New South Wales and other colonies on the list of British colonies entitled to the benefits of the British Preferential Tariff, in Canada, after the 1st August, 1898, was cancelled in part, so as to remove New South Wales (now merged in the Commonwealth of Australia) from the list of British colonies therein mentioned as entitled to the benefits of the British Preferential Tariff.

*Vide Canada Gazette*, vol. xxxvi., p. 1434.

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By Order in Council of the 23rd of January, 1903, in virtue of the provisions of the Customs Act, Maple Creek, in the North-west Territories, was established as an outport of customs and warehousing port, under the survey of the port of Lethbridge, North-west Territories.

*Vide Canada Gazette*, vol. xxxvi., p. 1435.

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By Order in Council of the 23rd January, 1903, in virtue of the provisions of sections 245 and 195 of the Customs Act, the following regulations were made and established, viz. :—

Goods imported in bond or duty paid, and products or manufactures of Canada, when transported or towed in or by vessel from one port or place in Canada to another port or place therein over any waters outside the limits of Canada, shall be transported or towed only in or by vessels permitted to engage in the Canadian coasting trade, and under special customs manifests in such form and subject to such conditions as shall be prescribed by the Minister of Customs, except as otherwise authorized by the Governor in Council; Provided that the goods when transported or towed in conformity with this regulation, shall, upon arrival in Canada from any place beyond the limits of Canada, be treated, with regard to the liability or exemption from duty, as if the transportation or towing had taken place entirely within the limits of Canada; Provided further that goods transported or towed in or by any vessel not permitted to engage in the Canadian coasting trade, contrary to this regulation, shall be seized and forfeited.

*Vide Canada Gazette*, vol. xxxvi., p. 1435.



*Department of Customs.*

By Order in Council of the 16th of May, 1903, the following regulations and provisions were substituted for those contained in the Orders in Council of 2nd July, 1863, and 4th November, 1874, in regard to customs duties on goods for the Imperial army in Canada, and the refund and remission of such duties, viz.:—

1. Remission of customs duty on the following goods for the use of His Majesty's army is hereby authorized, viz:—

(a.) On plain clothing for officers including clothing for officers' wives.

(b.) On articles of table furniture as detailed below in use by and the property of a regimental mess, a general staff, or departmental officer, brought into Canada by a corps or individuals on their first arrival in the Dominion: chinaware, glassware, plated ware, silverware, table linen.

(c.) On imported cigars, wines, spirits, malt-liquors, coffee, tea, sugar for officers' messes and general officers; also on tea, coffee and sugar for canteens.

Provided that special certificates shall be written and subscribed to on the entries of forms for refund or remission of duty in respect of the goods aforementioned as follows:—

(d.) In respect of the imported goods herein designated for officers' messes, the certificate shall be subscribed to by a commanding officer in this form:—

"The articles herein described are for the sole and exclusive use of the officers' mess of (specify) regiment or corps, and none of them will be retailed to any other persons—"

(e.) In respect of the imported goods herein designated for canteens, the certificate shall be subscribed to by a commanding officer in this form:—

"The articles herein described are for the sole and exclusive use of (specify) canteen and will be retailed at the said canteen to authorized persons only—"

(f.) The certificate subscribed to by a general officer in respect of the imported goods herein designated for his use shall be in this form:—

"The articles herein described are solely and exclusively for use in my own house and nothing thereof will be retailed or given away under any circumstances."

(g.) The certificate subscribed to by an officer importing clothing for his wife shall be in this form:—

"The articles of clothing herein described are solely and exclusively for use of my wife (name) and none thereof will be retailed or given away under any circumstances."

2. In lieu of remission of duties on articles imported for the use of His Majesty's army an allowance (out of money voted by Parliament) shall be payable to each staff and departmental officer and warrant officer, who is not a regular member of any officers' mess, at the rate of sixty-two dollars and fifty cents a year to be paid at the end of each quarterly period; provided the pay sheets for the said allowance in respect of each officer shall be certified by the officer in command to the following effect:—

"The above mentioned officers have severally declared to me that they have not bought any wines, spirits, cigars, malt-liquors, tea, coffee, or sugar from any officers' mess or canteen during the past quarter."

*Vide Canada Gazette*, vol. xxxvi., p. 2409.

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*Department of Customs.*

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By Order in Council of the 21st of May, 1903, in virtue of the provisions of the Customs Act, Sprague, in the province of Manitoba, was established as an outport of customs and warehousing port, under the survey of the port of Winnipeg, Manitoba, on, from and after the first day of July, 1903.

*Vide Canada Gazette*, vol. xxxvi., p. 2499.

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By Order in Council of the 21st of May, 1903, in virtue of the provisions of the Customs Act, the outport of McAdam Junction, under the survey of the port of St. John, in the province of New Brunswick, was erected into a port and warehousing port, to take effect on the first day of July, 1903.

*Vide Canada Gazette*, vol. xxxvi., p. 2499.

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By Order in Council of the 21st of May, 1903, in virtue of the provisions of the Customs Act, the name of the outport of Fort McLeod, in the North-west Territories, was changed from and after the first day of July, 1903, to McLeod.

*Vide Canada Gazette*, vol. xxxvi., p. 2499.

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By Order in Council of the 21st of May, 1903, in virtue of the provisions of the Customs Act, the outport of Osoyoos, in the province of British Columbia, was abolished on and after July 1, 1903.

*Vide Canada Gazette*, vol. xxxvi., p. 2499.

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By Order in Council of the 21st of May, 1903, in virtue of the provisions of the Customs Act, the name of the outport now known as Broad Cove Mines, in the county of Inverness, Nova Scotia, was, on and after the first day of July, 1903, changed to "Inverness."

And it was also ordered that the port now known as Annapolis, in the province of Nova Scotia, should on and after the first day of July, 1903, be known as "Annapolis Royal."

*Vide Canada Gazette*, vol. xxxvi., p. 2499.

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By Order in Council of the 21st of May, 1903, in virtue of the provisions of the Customs Act, Leeblain, in the district of Algoma, was established, on the first day of July, 1903, as an outport of customs and warehousing port, under the survey of the port of Port Arthur, in the province of Ontario.

By the same Order Toronto Junction, in the province of Ontario, was, on and after the first day of July, 1903, established as an outport of customs and warehousing port, under the survey of the port of Toronto, Ontario;

And the outports of Maitland, in the county of Grenville, and Port Rowan, in the county of Norfolk, province of Ontario, were abolished on the first day of July, 1903.

*Vide Canada Gazette*, vol. xxxvi., p. 2565.

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*Department of Customs.*

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By Order in Council of the 15th of June, 1903, in virtue of the provisions of the Customs Act, Ladner, in the province of British Columbia, was established as an outport of customs and warehousing port, under the survey of the port of New Westminster.

*Vide Canada Gazette*, vol. xxxvi., p. 2614.

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By Order in Council of the 15th of June, 1903, in virtue of the provisions of the Customs Act, the outport of Grafton, in the province of Ontario, was closed.

*Vide Canada Gazette*, vol. xxxvi., p. 2614.



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*Department of Inland Revenue.*

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**Department of Inland Revenue.**

By Order in Council of the 26th of June, 1902, regulations as set forth were established for the governance of the ferry across the Detroit River, between Sandwich, in the county of Essex, Ontario, and Detroit, in the state of Michigan, U.S.A.

*Vide Canada Gazette*, vol. xxxvi., p. 2.

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By Order in Council of the 17th of July, 1902, under the provisions of section 17, chapter 29 of the Revised Statutes of Canada, the Inland Revenue Divisions of Three Rivers and Joliette—composed as follows:—

Three Rivers—Champlain, Maskinongé, St. Maurice, city of Three Rivers; Joliette—Berthier, Montcalm, L'Assomption, Joliette; which have heretofore formed part of the Electric Light District of Montreal, were detached from that district, and these two divisions were established as a district to be known as the Electric Light District of "Three Rivers."

*Vide Canada Gazette*, vol. xxxvi., p. 122.

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By Order in Council of the 1st of August, 1902, in virtue of the provisions of chapter 97 of the Revised Statutes, intituled "An Act respecting Ferries," and the Act 51 Victoria, chapter 23, amending the same, regulations as set forth, were made for the governance of the ferry across the St. John River between the county of Madawaska, in the province of New Brunswick, Dominion of Canada, and Fort Kent, in the state of Maine, one of the United States of America.

*Vide Canada Gazette*, vol. xxxvi., p. 255.

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By Order in Council of the 2nd of August, 1902, that portion of the Dominion of Canada constituted and defined by 61 Victoria, chapter 6, section 2, as amended by 1 Edward VII., chapter 41, sections 13 and 14, as the Yukon Territory, was established as an Inland Revenue Division to be known as the Inland Revenue Division of Dawson, with the head office at Dawson, and it was ordered that the said division be attached to the Inland Revenue Inspection District of British Columbia.

*Vide Canada Gazette*, vol. xxxvi., p. 215.

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By Order in Council of the 22nd of September, 1902, in virtue of the provisions of section 17 of chapter 29 of the Revised Statutes of Canada, that portion of the Dominion of Canada constituted and defined by 61 Victoria, chapter 6, section 2, as amended by 1 Edward VII., chapter 41, sections 13 and 14, as the Yukon Territory, was established as a Weights and Measures Inspection Division to be known as the Weights and Measures Inspection Division of Dawson with the head office at Dawson.

*Vide Canada Gazette*, vol. xxxvi., p. 550.

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*Department of Inland Revenue.*

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By Order in Council of the 16th of May, 1903, under the provisions of section 17 of the Consolidated Revenue and Audit Act, the counties of Nicolet, Richelieu and Yamaska were detached from the Weights and Measures District of Three Rivers and added to the Weights and Measures District of St. Hyacinthe. The two divisions will comprise the territory as under-mentioned :—

THREE RIVERS.

The city of Three Rivers and the counties of Berthier, Champlain, Joliette, L'Assomption, Maskinongé, Montcalm and St. Maurice.

ST. HYACINTHE.

The counties of Bagot, Rouville, St. Hyacinthe, St. Johns, Verchères, Sherbrooke (including the town of Sherbrooke), Arthabaska, Brome, Compton, Drummond, Iberville, Missisquoi, Richmond, Shefford, Stanstead, Wolfe, Nicolet, Richelieu and Yamaska.

*Vide Canada Gazette*, vol. xxxvi., p. 2409.

*Department of the Interior.*

## Department of the Interior.

By Order in Council of the 19th of May, 1902, in virtue of the provisions of clause 47 of the Dominion Lands Act as enacted by section 5 of chapter 15 of the Act 55-56 Victoria, and of section 8 of the Yukon Territory Act, as that section was enacted by section 2 of chapter 11 of 62-63 Victoria, section 12 of the regulations for the disposal of the right to divert and use water from any stream or lake in the Yukon Territory for mining purposes, established by Order in Council of 3rd August, 1898, was repealed, and the following was substituted in lieu thereof:

In measuring water in any ditch or sluice, the following rules shall be observed:—  
The miner's inch shall mean a discharge of  $1\frac{1}{2}$  cubic feet of water per minute.

When measured through a rectangular orifice, one miner's inch shall mean one-twelfth ( $\frac{1}{12}$ ) of the quantity which will discharge through an orifice 6 inches wide and 2 inches high, made of 2-inch planking planed and made smooth.

The water shall have a constant head of  $6\frac{1}{4}$  inches above the centre of the orifice.

Discharges up to, and including 101.58 miner's inches of water shall be as in the following tables:—

Dimensions of orifice in inches.		Head in inches over centre.	Number of Miner's inches of $1\frac{1}{2}$ cubic feet per minute.	Discharge in cubic feet per minute.
Width.	Depth.			
6	2	6.25	11.99	17.98
12	2	6.25	24.25	36.38
18	2	6.25	36.39	54.59
24	2	6.25	48.70	73.05
4	4	6.25	15.71	23.56
6	4	6.25	23.57	35.35
12	4	6.25	47.30	70.95
18	4	6.25	71.65	107.48
25½	4	6.25	101.58	152.37

Large quantities of water for mining or other purposes, may be measured at any convenient point by discharging over weirs, through orifices, or by any accepted and correct method of measuring water.

Smaller quantities of water, where delivered from ditches, flumes or canals into small ditches or flumes, shall be measured at the point of diversion of the branch ditch or flume. It shall be taken from the main ditch, flume or canal through a box or reservoir, arranged at the side, and the water shall have no appreciable velocity of approach. The orifice shall be fixed vertically at right angles to the delivering water way, and the edges and corners shall be square and sharp and the top, bottom and sides of the orifice at right angles to the pressure board. The issuing vein shall be fully contracted, and the discharge shall be freely into air. The distance between the sides and the bottom of the water way, and sides and bottom of the orifice shall be at least three times the least dimension of the orifice.

*Vide Canada Gazette*, vol. xxxvi., p. 82.

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*Department of the Interior.*

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By Order in Council of the 4th of June, 1902, the Ordinance governing the hearing and decision of disputes in relation to mining lands in the Yukon Territory made by the Governor General in Council on the 18th of March, 1901, was amended by adding thereto section 75 of the regulations for the disposal of quartz mining claims on Dominion lands in Manitoba, the North-west Territories and the Yukon Territory.

*Vide Canada Gazette*, vol. xxxvi., p. 45.

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By Order in Council of the 11th of June, 1902, authority was given for the immediate payment to the province of Manitoba of the sum of \$175,013.74 being the amount of interest on the balance of purchase money for school lands from time to time remaining unpaid and received by the Government of Canada, and of the further sum of \$49,101.02 being the amount of rents and profits arising out of school lands and received by the Government of Canada, such two sums together making the total sum of \$224,114.76, and for making payment of such sum of \$224,114.76 to the province of Manitoba towards the support of the public schools therein as provided by the Dominion Lands Act, chap. 54 of the Revised Statutes of Canada.

Authority was also given for the payment to the province of Manitoba, annually in the future and together with the interest on the school fund and towards the support of public schools in the province, of all interest received since the 1st day of April, 1902, or now accrued or hereafter to accrue due on the balance of purchase money from time to time remaining unpaid and which shall from time to time come to the hands of the Government of Canada, and also for the payment in like manner of all rents and profits and receipts in the nature of income arising out of the school lands received since the 1st day of April, 1902, or which shall from time to time be received by the Government of Canada.

*Vide Canada Gazette*, vol. xxxvi., p. 43.

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By Order in Council of the 11th of June, 1902, in virtue of the provisions of section 47 of the Dominion Lands Act, the issue of leases of school lands in Manitoba and the North-west Territories for coal mining purposes was authorized for the development of coal mines underlying such school lands, subject to the following terms and conditions:—

1. Leases of school lands for coal mining purposes shall be for a period not exceeding ten years and shall only be granted to applicants, in the order of their applications, who have satisfied the Minister of the Interior of their means and ability to work efficiently the mines applied for.

2. The lessee shall pay a ground rent for the land leased of thirty cents per acre, such rental to be paid half-yearly in advance.

3. The lessee shall in addition to the ground rent pay a royalty of ten cents per ton on all coal taken out of the mine, and shall furnish to the Minister of the Interior quarterly returns, made under oath, on such form as the Minister of the Interior may prescribe, showing the quantity of coal taken out, the royalty thereon to be paid at the time of making such return.



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*Department of the Interior.*

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4. The area of school land leased for coal mining purposes to any one person shall not be less than 160 acres nor more than 640 acres.

5. The boundaries beneath the surface of such mining locations shall be the vertical planes or lines within which the surface boundaries lie.

6. Failure to commence active operations within one year and to work the mine within two years after the commencement of the term of the lease, or to pay the ground rent or royalty as before provided shall subject the lessee to the forfeiture of the lease and to resumption of the land by the Crown.

*Vide Canada Gazette*, vol. xxxvi., p. 255.

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By Order in Council of the 12th of June, 1902, the regulations governing the issue of licenses of occupation for the mining of coal on land within the Rocky Mountains Park of Canada, established by Order in Council dated 12th October, 1892, were rescinded and the following regulations substituted therefor:—

1. Licenses to mine coal from lands within the park may be issued by the Minister of the Interior.

2. The duration of such licenses shall be twenty years, unless sooner terminated by consent of the Crown and the licensee, or cancelled for non-fulfilment of conditions, and such licenses shall be renewable in the discretion of the Governor General in Council for further periods of twenty years each, and not exceeding in all sixty years, on such terms and conditions as may, at the time of renewal, be agreed upon by the government and licensee.

3. The ground rent shall be 30 cents per acre per annum, payable half-yearly in advance.

4. A royalty of 10 cents per ton shall be paid by the licensee on all coal taken out of the mine. Returns under oath shall be made quarterly to the Minister of the Interior by the licensee showing the quantity of coal taken out, and the royalty shall be paid at the time of making such returns.

5. Any attempt to defraud the Crown by withholding any part of the revenue thus provided for shall be punished by the cancellation of the lease, and action will be taken against the licensee to recover the amount due to the Crown.

6. The area to be licensed to one person shall not be less than 160 acres, and shall not exceed 640 acres, and the licensee shall not make any transfer or assignment of his license without the consent, in writing, of the Minister of the Interior.

7. The boundaries beneath the surface of a location shall be the vertical planes or lines in which their surface boundaries lie.

8. The license shall be subject to the general regulations for the control and management of the Rocky Mountains Park of Canada, dated 30th June, 1890, and to such further and other regulations as have since been made or which may be hereafter made from time to time in that behalf by the Governor General in Council.

*Vide Canada Gazette*, vol. xxxvi., p. 2.

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By Order in Council of the 26th of June, 1902, the Order in Council of 11th June, 1902, establishing the regulations for the issue of leases of school lands in Manitoba and the North-west Territories for coal mining purposes wherein it is stated that such leases shall be issued for a period not exceeding

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ten years, was amended as regards clause number one of said Order in Council, by providing that a lease of school lands in Manitoba and the North-west Territories shall be for a period not exceeding twenty years.

*Vide Canada Gazette*, vol. xxxvi., p. 255.

By Order in Council of the 20th of August, 1902, clause 13 of the regulations for the survey, administration, disposal and management of Dominion lands within the railway belt in British Columbia, established by Order in Council of 17th September, 1889, was amended so as to permit any person who would be entitled to a second homestead entry under the circumstances provided for in clause 43 of the Dominion Lands Act in the case of homesteaders in Manitoba to exercise that privilege within the railway belt in British Columbia.

The annexed form "Q" was also added to the schedule of forms attached to the regulations above mentioned, for use in the case of such second homestead entries:—

## FORM Q.

AFFIDAVIT in support of a claim for homestead entry by a person who has previously obtained a recommendation for patent for a homestead, after three years' residence and cultivation.

I, A. B., do solemnly swear (or affirm, as the case may be) that I am over eighteen years of age; that to the best of my knowledge and belief the land in respect of which my application is made is of the class open for homestead entry; that there is no person residing on the said land, nor are there any improvements thereon; that this application is made for my exclusive use and benefit, with the intention of residing upon and cultivating the said land, and not directly or indirectly for the use or benefit of any other person or persons, whomsoever; that I obtained entry for the quarter-section of section , township , range , of the meridian as a homestead, on the day of 18 , being the only homestead for which I have received a patent or certificate of recommendation for patent, that I resided upon and cultivated the same for three years, and that I had earned title to my said homestead on or before the second day of June, 1889, certificate of which fact, signed by the proper agent of Dominion lands and countersigned by the commissioner of Dominion lands, I now produce.

Subscribed and sworn to, this day of  
190 , before me

(Signature).

*Local Agent.*

*Vide Canada Gazette*, vol. xxxvi., p. 446.

By Proclamation dated September 8, 1902, under the provisions of the Act to amend the Immigration Act, the landing in Canada of any immigrant or other passenger who is suffering from any loathsome, dangerous or infectious disease or malady, was absolutely prohibited, whether such immigrant or passenger intends to settle in Canada, or only intends to pass through Canada

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to settle in some other country, and who, in the opinion of the Minister of the Interior of Canada, or of any officer to whom he entrusts the matter, should be so prohibited; Provided that any such immigrant or passenger may be permitted to land in Canada for medical treatment only, for such period as the said Minister or such officer may deem reasonable and sufficient to effect his cure.

*Vide Canada Gazette*, vol. xxxvi., p. 439.

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By Order in Council of the 16th of October, 1902, the resignation of the Honourable James Hamilton Ross as Commissioner of the Yukon Territory, was accepted, the same being effective upon and from the first day of October, 1902, and Major Zachary Taylor Wood who, by Order in Council dated 15th August, 1902, was appointed Acting Commissioner of the Yukon Territory because of the illness of the Commissioner, was authorized to continue to act as Commissioner temporarily.

*Vide Canada Gazette*, vol. xxxvi., p. 771.

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By Order in Council of the 16th of October, 1902, it was ordered that on and after the first day of January, A.D. 1903, the fees to be exacted by each registrar of a land registration district in the North-west Territories, or by his deputy or the acting registrar, as the case may be, in the event of the absence from office or death of the registrar, for the services to be done and performed by a registrar under and by virtue of the provisions of the Land Titles Act, 1894, or of any Act or Acts passed in amendment thereof, shall be those which are set out in the accompanying "Tariff of Fees," instead of those which were fixed and settled by the Order in Council of the 17th September, 1889, or any Order or Orders upon which that Order is based, or any Order or Orders which have been passed in amendment thereof, all of which Orders were rescinded upon the expiration of the thirty-first day of December, A.D. 1902.

It was also ordered that each of such registrars, or his deputy or the acting registrar, as the case may be, in the event of the absence from office or death of the registrar, shall continue to make the deposits and returns of all fees paid to such registrar, such deputy or acting registrar, as the case may be, under the accompanying tariff of fees, in accordance with the regulations now in force, being the regulations which are set out and specified under such tariff.

#### TARIFF OF FEES.

1. Each certificate of title for land granted since the 1st January, 1887, shall be issued and a duplicate thereof shall be delivered or mailed to the person or company entitled thereto, free of charge, if at the time of the issue of such certificate the patent or notification mentioned in section 39 of the Land Titles Act, 1894, is the only instrument in the hands of the registrar affecting the land as provided by the said section 39.



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2. If there are any instruments in the registrar's hands which encumber or affect the land as mentioned in section 39, for each certificate of title and duplicate thereof, including all fees for registration, searches and memorandums. . . . . \$4 00  
And also assurance on sworn value.
3. Each certificate of title issued in accordance with an application made under the provisions of section 40 of the said Act, where at the time of the issue of such certificate the patent is the only instrument in the hands of the registrar affecting the land, shall be issued, and a duplicate thereof shall be delivered or mailed to the person or company entitled thereto for a fee of. . . . . 2 00  
Provided, however, that this fee shall not be charged for a certificate of title for any land the title to which was vested in the Hudson's Bay Company prior to the 1st January, 1887, and which was passed to that company under the provisions in that behalf contained in the Dominion Lands Act, but that in such case each certificate shall be issued and a duplicate thereof shall be delivered to the company free of charge.
4. For certificate of title on an application to bring land under the Act in cases other than those provided for by the last item, which shall include the fees to be paid to the assurance fund, and for the duplicate certificate of title and abstract and all filings, searches and inspections:—
  - (a.) Where the value of the land does not exceed \$500. . . . . 5 00
  - (b.) Where the value is over \$500 and up to \$1,000. . . . . 7 00
  - (c.) For each additional \$500 or fraction thereof until the value reached is \$5,000 add. . . . . 1 00
 And for each additional \$1,000 thereafter or fraction thereof add. . . . 1 00  
(See, however, item No. 9.)
5. For registering a transfer and issuing a certificate of title thereon and duplicate thereof and including fees for memorandums, searches and inspections:—
  - (a.) Where the value of the property does not exceed \$500 including fees payable to assurance fund. . . . . 3 00
  - (b.) Where the value of the property is over \$500. . . . . 4 00
 And in addition the fees payable to the assurance fund.  
(See, however, items Nos. 9 and 12.)
6. For certificate of title on a transmission, including fees for duplicate thereof and for registration, searches and all other services connected therewith, but not including fees payable to assurance fund. . . . . 5 00  
If the land transmitted is included in more than one certificate of title for entering memorandum on each certificate of title and duplicate thereof, after the first certificate. . . . . 1 00  
(See, however, item No. 9.)
7. For new certificate of title to registered female owner on her marriage, including duplicate thereof and all filings, memorandums and services connected therewith. . . . . 3 00
8. For certificate of title issued on any other instrument and for duplicate certificate. . . . . 2 00
9. If more than one certificate of title is required upon the same instrument, for each certificate with duplicate thereof after the first certificate . . . 2 00



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10. For registering or filing any lease, (exclusive of the fee of \$2 for leasehold certificate of title) mortgage, encumbrance or charge, surrender or power of attorney, including all memorandums, searches and other services connected therewith . . . . . \$ 1 50  
(See, however, item No. 12.)  
(a.) For filing first mortgage or encumbrance before issue of grant including the fees to be paid under item No. 2 for issuing certificate of title, &c. . . . . 1 00  
And also assurance on sworn value.  
(b.) For every such mortgage or encumbrance after the first. . . . . 1 50
11. For registering or filing any mechanic's lien, certificate, order, or decree of a court or judge, or any assignment or discharge wholly or partially of a mortgage, encumbrance or charge; or a satisfaction of an annuity, or any other instrument affecting land other than those particularly specified in this tariff; including all memorandums, searches and other services connected therewith. . . . . 1 00  
(See, however, item No. 12.)
12. When any instrument registered deals with or affects land in more than one certificate of title, for each memorandum after the first memorandum. . . . . 50
13. For each abstract respecting land included in one certificate of title, or respecting each quarter-section for which certificate of title has not been granted, including all charges for searches and certificates. . . . . 50
14. For filing each caveat and for preparing and mailing the notices in connection therewith. . . . . 2 00
15. For entering withdrawal of caveat. . . . . 1 00
16. For each search for each parcel of land or for any name . . . . . 25
17. For a certificate as to decrees, orders or executions, including one search, for one name. . . . . 50  
And for each additional name. . . . . 25
18. For each certificate of charge. . . . . 50
19. For each map or plan registered including new certificate of title, and duplicate thereof. . . . . 4 00  
(See, however, items Nos. 9 and 12.)
20. For each map or plan deposited under the Railway Act, or any other Act than the Land Titles Act. . . . . 1 00
21. For registering or filing writ of *fieri facias* or a satisfaction or withdrawal thereof including all memorandums and other services connected therewith. . . . . 1 00
22. For production of each instrument filed or registered . . . . . 10
23. For returning the documents of title deposited in support of an application on withdrawal or rejection of any application for certificate of title. . . . . 1 00
24. For certified copy of or extract from any registered instrument or instruments otherwise in the custody of the registrar, per folio of 100 words. . . . . 10
25. (a.) For copy of every map or tracing attached to or endorsed on any document. . . . . 2 00  
(b.) For copy of each map or plan filed, registered or deposited in the land titles office, up to and inclusive of 100 lots. . . . . 3 00  
And for each additional lot over 100. . . . . 02  
(c.) And for each copy or tracing showing one block of lots or of one or more lots in one block on any such map or plan. . . . . 2 00

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26. For each certificate, signed by the registrar, deputy registrar or acting registrar and authenticated by the registrar's official seal and not otherwise provided for. ....	\$ 0 25
27. For taking each affidavit or solemn declaration. ....	20
28. For entering executor or administrator, as transferee or proprietor of a mortgage on a transmission. ....	1 00
29. For entering survivor, or other persons, as proprietor in the case of a joint proprietorship. ....	1 00
30. For each certificate and reference to a court or judge, excepting a reference made under section 111 of the Land Titles Act. ....	2 00
31. For attending a court or judge on reference, or on hearing of any petition, or on any proceeding or on producing any document on any application or proceeding before a court or judge, for each hour. ....	1 00
32. For a certificate of title or duplicate issued to replace one worn out, filled up, destroyed or lost. ....	2 00
(a.) Where a certificate of title or duplicate thereof has been lost or destroyed for perusing proof of loss and settling notice for publication and for all other services excepting new certificate of title. ....	1 00
33. For consolidating two or more certificates of title. ....	2 00

NOTE.—In addition to the above fees there is payable to the assurance fund, on the registration of every grant of encumbered land, on the registration of the first transfer after the issue of a certificate of title where the land was not encumbered, on the increased value of the land in every subsequent transfer, and on the filing of a first mortgage or encumbrance before issue of grant,  $\frac{1}{5}$  of 1 per cent on the sworn value up to \$5,000.00, and  $\frac{1}{10}$  of 1 per cent on any excess over such \$5,000.00.

## REGULATIONS FOR THE DISPOSAL AND RETURN OF FEES.

(a.) The registrar of each land registration district in the North-west Territories, or his deputy or the acting registrar, as the case may be, in the event of the absence from office or death of the registrar, shall make, when possible, at the agency of the Bank of Montreal in the city, town or village in which the land titles office for the land registration district is situated, or at such other bank as may be named in writing by the Minister of the Interior or his deputy or the secretary of the Department of the Interior, a daily deposit, to the credit of the Minister of Finance and Receiver General, on account of the Land Titles Act, 1894, of all fees which have been received by such registrar, deputy registrar or acting registrar, as the case may be, under the provisions of that Act, or of this or any other Order in Council passed under and by virtue thereof, if the amount of such fees is \$25 or over; and if the amount is less than \$25 then if the deposit is not made upon the day when such fees are received it shall be made so soon as the registrar, deputy or acting registrar, as the case may be, has such amount of \$25 on hand.

(b.) The registrar of each land registration district in the North-west Territories, or his deputy or the acting registrar, as the case may be, in the event of the absence from office or death of the registrar, shall mail within five days after the close of each month to the auditor general and to the secretary of the Department of the Interior, Ottawa, respectively, a copy of a return to be prepared on a form which shall correspond in effect with a folio of the day-book provided by the Department of the Interior for such registrar, in which return shall be entered, under the respective headings in such form, full particulars, as they are entered in such day-book, of each of the registrations, searches and other services which were made or performed by the registrar or his deputy

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or the acting registrar, as the case may be, under any of the provisions of the said Act, during the month to which the return relates; and the respective fees received by such registrar, deputy registrar, or acting registrar, as the case may be, for such services; the amount of each deposit made on account of the fees for such month; the date upon which each deposit was made; the total amount of such deposits and the total amount of the fees entered in such return and the total amount of the fees so entered in such return shall correspond with the total amount of such deposits.

(c.) Each of the copies of each return to be so prepared and forwarded shall be certified to be true and correct and shall be signed by the registrar, deputy registrar or acting registrar who prepared the same.

(d.) The registrar of each land registration district in the North-west Territories, or his deputy or the acting registrar, as the case may be, in the event of the absence from office or death of the registrar, shall retain the "original" of the bank receipt for each deposit, and shall forward or cause to be forwarded to the secretary of the Department of the Interior, the "draft" and "duplicate" and "triplicate" of such receipt.

*Vide Canada Gazette*, vol. xxxvi., p. 815.

By Order in Council of the 16th of October, 1902, it was ordered that on and after the first day of January, A.D. 1903, the fees to be exacted by the registrar of the Yukon land registration district, or by his deputy or the acting registrar, as the case may be, in the event of the absence from office or death of the registrar, for the services to be done and performed by a registrar under and by virtue of the provisions of the Land Titles Act, 1894, or of any Act or Acts which have been or may be passed in amendment thereof, shall be those which are set out in the accompanying "Tariff of Fees," instead of those which were fixed and settled by the Order in Council of the 26th day of August, 1897, which Order shall hereby be rescinded upon the expiration of the thirty-first day of December, 1902.

It was also ordered that the registrar, or his deputy or the acting registrar, as the case may be, in the event of the absence from office or death of the registrar, shall continue to make the deposits and returns of all fees paid to such registrar, deputy or acting registrar, as the case may be, under the accompanying tariff of fees, in accordance with the regulations now in force, being the regulations which are set out and specified under such tariff:

## TARIFF OF FEES.

1. Each certificate of title for land granted since the 1st January, 1887, shall be issued and a duplicate thereof shall be delivered or mailed to the person or company entitled thereto, free of charge, if at the time of the issue of such certificate the patent or notification mentioned in section 39 of the Land Titles Act, 1894, is the only instrument in the hands of the registrar affecting the land as provided by the said section 39.

2. If there are any instruments in the registrar's hands which encumber or affect the land as mentioned in section 39, for each certificate of title and duplicate thereof, including all fees for registration, searches and memorandums. . . . . \$5 00  
And also assurance on sworn value.



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3. For registering a transfer and issuing a certificate of title thereon and duplicate thereof and including fees for memorandums, searches and inspections :—
  - (a.) Where the value of the property does not exceed \$500 including fees payable to assurance fund ..... \$ 5 00
  - (b.) Where the value of the property is over \$500 ..... 6 00
 And in addition the fees payable to the assurance fund.  
 (See, however, items Nos. 7 and 10.)
4. For certificate of title on a transmission, including fees for duplicate thereof and for registration, searches and all other services connected therewith, but not including fees payable to assurance fund ..... 5 00  
 If the land transmitted is included in more than one certificate of title for entering memorandum on each certificate of title and duplicate thereof, after the first certificate ..... 2 00  
 (See, however, item No. 7.)
5. For new certificate of title to registered female owner on her marriage, including duplicate thereof and all filings, memorandums and services connected therewith ..... 5 00
6. For certificate of title issued on any other instrument and for duplicate certificate ..... 4 00
7. If more than one certificate of title is required upon the same instrument, for each certificate with duplicate thereof after the first certificate .... 3 00
8. For registering or filing any lease (exclusive of the fee of \$4.00 for leasehold certificate of title) mortgage, encumbrance or charge, surrender or power of attorney, including all memorandums, searches and other services connected therewith ..... 3 00  
 (See, however, item No. 10.)
  - (a.) For filing first mortgage or encumbrance before issue of grant including the fees to be paid under item No. 2 for issuing certificate of title, &c. .... 3 00
 And also assurance on sworn value.
  - (b.) For every such mortgage or encumbrance after the first ..... 2 00
9. For registering or filing any mechanic's lien, certificate, order, or decree of a court or judge, or any assignment or discharge wholly or partially of a mortgage, encumbrance or charge ; or a satisfaction of an annuity, or any other instrument affecting land other than those particularly specified in this tariff ; including all memorandums, searches and other services connected therewith ..... 2 00  
 (See, however, item No. 10.)
10. When any instrument registered deals with or affects land in more than one certificate of title, for each memorandum after the first memorandum ..... 1 00
11. For each abstract respecting land included in one certificate of title, or respecting each quarter-section for which certificate of title has not been granted, including all charges for searches and certificates ..... 1 00
12. For filing each caveat and for preparing and mailing the notices in connection therewith ..... 4 00
13. For entering withdrawal of caveat ..... 2 00
14. For each search for each parcel of land or for any name ..... 50
15. For a certificate as to decrees, orders or executions, including one search, for one name ..... 1 00  
 And for each additional name ..... 25
16. For each certificate of charge ..... 50

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17. For each map or plan registered including new certificate of title, and duplicate thereof.....	\$ 5 00
(See, however, items Nos. 7 and 10.)	
18. For each map or plan deposited under the Railway Act, or any other Act than the Land Titles Act .....	2 00
19. For registering or filing writ of <i>feri facias</i> or a satisfaction or withdrawal thereof including all memorandums and other services connected therewith.....	2 00
20. For production of each instrument filed or registered.....	25
21. For certified copy of or extract from any registered instrument or instruments otherwise in the custody of the registrar, per folio of 100 words.....	25
22. (a.) For copy of every map or tracing attached to or endorsed on any document.....	4 00
(b.) For copy of each map or plan filed, registered or deposited in the land titles office, up to and inclusive of 100 lots.....	4 00
And for each additional lot over 100.....	05
(c.) And for each copy or tracing showing one block of lots or of one or more lots in one block on any such map or plan.....	4 00
23. For each certificate signed by the registrar, deputy registrar or acting registrar and authenticated by the registrar's official seal and not otherwise provided for.....	50
24. For taking each affidavit or solemn declaration.....	25
25. For entering executor or administrator, as transferee or proprietor of a mortgage on a transmission.....	2 00
26. For entering survivor, or other person, as proprietor in the case of a joint proprietorship.....	2 00
27. For each certificate and reference to a court or judge, excepting a reference made under section 111 of the Land Titles Act.....	5 00
28. For attending a court or judge on reference, or on hearing of any petition, or on any proceeding or on producing any document on any application or proceeding before a court or judge, for each hour.....	2 00
29. For a certificate of title or duplicate issued to replace one worn out, filled up, destroyed or lost.....	4 00
(a.) Where a certificate of title or duplicate thereof has been lost or destroyed, for perusing proof of loss and settling notice for publication and for all other services excepting new certificate of title.....	2 00
30. For consolidating two or more certificates of title.....	4 00

NOTE.—In addition to the above fees there is payable to the assurance fund, on the registration of every grant of encumbered land, on the registration of the first transfer after the issue of a certificate of title where the land was not encumbered, on the increased value of the land in every subsequent transfer, and on the filing of a first mortgage or encumbrance before issue of grant,  $\frac{1}{5}$  of 1 per cent on the sworn value up to \$5,000.00, and  $\frac{1}{10}$  of 1 per cent on any excess over such \$5,000.00.

## REGULATIONS FOR THE DISPOSAL AND RETURN OF FEES.

(a.) The registrar of the Yukon land registration district, or his deputy or the acting registrar, as the case may be, in the event of the absence from office or death of the registrar, shall make, when possible, at the agency of the Bank of Commerce in Dawson, or at such other bank as may be named in writing by the Minister of the



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Interior or his deputy or the secretary of the Department of the Interior, a daily deposit, to the credit of the Minister of Finance and Receiver General, on account of the Land Titles Act, 1894, of all fees which have been received by such registrar, deputy registrar or acting registrar, as the case may be, under the provisions of that Act, or of this or any other Order in Council passed under and by virtue thereof, if the amount of such fees is \$25 or over; and if the amount is less than \$25 then if the deposit is not made upon the day when such fees are received it shall be made so soon as the registrar, deputy or acting registrar, as the case may be, has such amount of \$25 on hand.

(b.) The registrar of the Yukon land registration district, or his deputy or the acting registrar, as the case may be, in the event of the absence from office or death of the registrar, shall mail within five days after the close of each month to the auditor general and to the secretary of the Department of the Interior, Ottawa, respectively, a copy of a return to be prepared on a form which shall correspond in effect with a folio of the day-book provided by the Department of the Interior for such registrar, in which return shall be entered, under the respective headings in such form, full particulars, as they are entered in such day-book, of each of the registrations, searches and other services which were made or performed by the registrar or his deputy or the acting registrar, as the case may be, under any of the provisions of the said Act, during the month to which the return relates, and the respective fees received by such registrar deputy registrar, or acting registrar, as the case may be, for such services; the amount of each deposit made on account of the fees for such month; the date upon which each deposit was made; the total amount of such deposits and the total amount of the fees entered in such return and the total amount of the fees so entered in such return shall correspond with the total amount of such deposits.

(c.) Each of the copies of each return to be so prepared and forwarded shall be duly certified to be true and correct and shall be signed by the registrar, deputy registrar or acting registrar who prepared the same.

(d.) The registrar of the Yukon land registration district, or his deputy or the acting registrar, as the case may be, in the event of the absence from office or death of the registrar, shall retain the "original" of the bank receipt for each deposit, and shall forward or cause to be forwarded to the secretary of the Department of the Interior, the "draft" and "duplicate" and "triplicate" of such receipt.

*Vide Canada Gazette*, vol. xxxvi., p. 1003.

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By Order in Council of the 31st of October, 1902, in virtue of clause 47 of the Dominion Lands Act, as enacted by section 5 of the Act 55-56 Victoria, chapter 15, and of section 8 of the Yukon Territory Act, as enacted by section 3 of the Act 2 Edward VII., chapter 34, the Order in Council of the 15th of April, 1902, amending subclause (d) of clause 41 of the regulations governing placer mining in the Yukon Territory, established by Order in Council of the 13th of March, 1901, was amended by adding the following paragraph:—

"The same provision may also apply to any number of claims which can be worked by dredging, or by any other extensive method satisfactory to the Government mining engineer; and this provision may cover any claims worked in this manner on and after the 1st of July, 1902."

*Vide Canada Gazette*, vol. xxxvi., p. 1003.

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By Order in Council of the 5th of December, 1902, the Minister of the Interior was authorized to deal with all applications for lands along the banks of the Winnipeg River in the province of Manitoba, and in the district of

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Ungava, which may come within the provisions of subclause 5 of clause 29 of "The Dominion Lands Act" requiring that no legal subdivision or other portion of Dominion lands which includes a water power shall be disposed of except under the authority of an Order in Council, on the following conditions, namely :—

That the sale to each applicant shall not exceed six hundred and forty acres in extent, and that the terms of sale be fixed at not less than the current rate of three dollars an acre, payable one-fourth in cash, and the balance in three equal annual instalments, bearing interest at five per cent.

*Vide Canada Gazette*, vol. xxxvi., p. 1206.

An Order in Council was passed on the 12th of December, 1902, with reference to an application by the Canadian North-west Irrigation Company representing that to enlarge its present system and enable it to proceed with the enterprise the company desired to purchase 500,000 acres within the lands described in a schedule attached, at the usual price of \$3.00 per acre fixed by the regulations for the disposal of lands for reclamation by irrigation, the company to be allowed a credit up to sixty cents per acre upon the purchase price for one-half of the expenditure made in connection with their original enterprise, which amounts to \$612,403.81 as per audit which has been submitted; and a credit up to one dollar and forty cents per acre for the amount expended in completing the proposed extension and enlargement of the undertaking, the water privileges for which have been secured under the provisions of the Irrigation Act.

It was ordered by the aforesaid Order in Council that the application of the company be granted on the following conditions :—

That the company make a deposit of \$25,000 forthwith as an evidence of good faith.

That the company begin the survey during the season of 1903, and expend not less than \$150,000 within three years from this date, on the enlargement and extension of the company's system, including surveys.

That the land be paid for as follows :—

500,000 acres at \$3.00 per acre.....	\$1,500,000
Credited in respect to one-half of the expenditure already made.....	300,000
Credited in respect to new expenditures including surveys to be made in completing the proposed extension to the extent of.....	700,000

\$500,000 to be paid in ten equal instalments of \$50,000 each, the first of which shall be paid on the 1st day of December, 1907, with interest at five per cent per annum from the 1st day of December, 1905, on the principal from time to time remaining unpaid.

That the company shall have the privilege of making payments at any time on account of the balance remaining unpaid.

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That in the event of the company desiring to complete the purchase and take title for any part of the 500,000 acres after not less than \$50,000 has been expended in connection with the proposed works, payment at the rate of \$3.00 per acre for such parcel shall be made as follows:—

By payment or application of payments already made to the Government of \$1 00 per acre.

By application of credit in respect to the original expenditures at the rate of 60c. per acre.

By application of credit in respect to new expenditures at the rate of \$1.40 per acre.

That before patents issue for any parcels as above the Department of the Interior must be satisfied by the report of its engineer that the amount of at least \$1.40 per acre of such parcel has been expended in connection with the works contemplated by the proposed scheme.

That the maximum price for lands within the 500,000 acre tract shall be fixed at \$5.00 per acre exclusive of water privileges, and any of the lands within the tract not sold at the expiration of fifteen years shall revert to the Crown.

That all squatters at present located within the area set apart shall be protected and have the right to make homestead entry for the land on which they are living.

That leaseholders within the tract shall be notified that their leases will be cancelled in two years in accordance with the clause in lease providing for same.

That the granting of this application will not interfere in any way with the rights of the Minister under the Irrigation Act to fix the prices governing the sale of water, he having been advised that he has full and absolute control of the rates to be charged both for water rights and water rates in connection with all irrigation schemes, and over by-laws already approved by him.

That an agreement shall be entered into with the company embodying the terms of this proposal.

*Vide Canada Gazette*, vol. xxxvi., p. 1267.

By Order in Council of the 22nd of December, 1902, clauses 1 and 2 of the regulations governing the disposition of Dominion lands in Manitoba, the North-west Territories and the Yukon Territory, containing petroleum, established by the Order in Council of the 31st May, 1901, were rescinded, and the following substituted therefor:—

1. All unappropriated Dominion lands in Manitoba, the North-west Territories and within the Yukon Territory shall be open to prospecting for petroleum by an individual or company desiring to do so. In case there should arise any dispute as to whether lands are or are not unappropriated, the question shall be decided by the Minister of the Interior whose decision shall be final. Provided, however, that the Minister may reserve for an individual or company who have machinery on the land to be prospected, an area of 640 acres of such shape as the Minister may approve of, and that the reservation may be made for such period as he may decide.



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2. Should oil in paying quantities be discovered by a prospector on any vacant lands of the Crown, and should such discovery be established to the satisfaction of the Minister of the Interior, an area not exceeding 640 acres of land, including the oil-well and such other land as may be determined by the Minister of the Interior, will be sold to the person or company making such discovery at the rate of \$1.00 per acre.

*Vide Canada Gazette*, vol. xxxvi., p. 1325.

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By Order in Council of the 23rd of December, 1902, in virtue of the provisions of subsection 4 of section 1 of chapter 56 of the Revised Statutes of Canada, the regulations governing the granting of free right of way for irrigation ditches and for leasing lands for reservoir sites, prescribed by the Minister of the Interior on the first day of July, 1898, were made to apply to Crown lands situated in the railway belt in the province of British Columbia.

*Vide Canada Gazette*, vol. xxxvi., p. 1380.

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By Order in Council of the 9th of January, 1903, the Order in Council of October 14, 1902, cancelling certain reservations for park purposes in the railway belt in British Columbia was restricted so as to apply only to the reserve situated on Griffin and Three Valley Lakes.

*Vide Canada Gazette*, vol. xxxvi., p. 1325.

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By Order in Council of the 3rd of February, 1903, in pursuance of the provisions of subclause 1 of clause 19 of the Dominion Lands Act, chapter 54 of the Revised Statutes of Canada, the rates for township subdivision surveys fixed by previous Orders in Council were rescinded, and it was ordered that township subdivision surveys executed under contract, shall be hereafter paid as follows:—

1st. Section lines shall be paid for at the rate of five dollars per mile of line surveyed.

2nd. A further payment at the rate of fifty cents per chain, up to ten chains in a section side, shall be made for opening, cutting, and blazing the line through woods, windfalls, under-brush, or heavy scrub.

3rd. Any opening, cutting and blazing of the line in excess of ten chains in a section side shall be paid at the rate of twenty-five cents per chain.

4th. No payment shall be made under the provisions of clauses 2 and 3 where the line could have been measured without opening or cutting.

5th. The part of a line measured across water by means of a triangulation shall, up to half a mile, be paid as opening through woods when the body of water is surrounded by continuous woods.

6th. For the interpretation of clauses 2 and 3, a section line shall mean the distance between two monuments at section corners or the places assigned to such corners, and this distance may include a road allowance.

7th. When the side of a section, exclusive of the road allowance is greater than ninety chains or smaller than seventy chains, the number of chains of

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opening or cutting which may be paid at the rate of fifty cents per chain shall be increased or reduced in proportion to the length of the section side.

8th. Only the lines actually run and marked in the field shall be paid for. Nothing shall be allowed for random and trial lines, bases of triangles and offsets.

9th. A further payment at the rate of three dollars per mile shall be made for section lines surveyed over rough or hilly country. A section side shall be classified as rough or hilly when the field notes show that it crosses a ravine not less than 100 feet deep or two ravines each not less than 50 feet deep, or that the difference of level between two points of the line not more than half a mile apart exceeds 200 feet, the depths or heights being measured by aneroid barometer.

10th. A further payment at the rate of four dollars per mile shall be made for surveying the meridian outlines of a township when such outlines are included in a subdivision survey contract.

11th. Section lines resurveyed or retraced shall be paid at the same rate as original section lines when such lines are resurveyed or retraced in compliance with the directions of the Manual of Survey or the instructions of the surveyor-general, but nothing shall be paid for the measurement of a portion of the outlines which the Manual of Survey directs to be made for testing the chaining before commencing the subdivision of a township.

12th. A further payment at the rate of twenty-five cents per pit in prairie, and of forty cents per pit in the woods, shall be made for every boundary monument, such payment to cover the cost of planting and marking the posts, building the mound, and otherwise completing the monument. A witness trench shall be paid as four pits.

13th. Traverses of lakes and rivers and connecting traverses shall be paid at the rate of eleven dollars per mile. For traverses of lakes and rivers, the distance to be paid for shall be measured along the bank of the lake or river from every point fixed by the survey in a straight line to the next point. Nothing shall be paid for offsets.

14th. One dollar shall be paid for every statutory declaration of a settler.

15th. Five dollars shall be paid for every astronomical observation (not more than two observations in a township) for ascertaining the direction of the meridian.

16th. The above allowances shall cover the cost of preparing the returns of the survey.

17th. Iron posts used on the survey will be supplied free of cost at Winnipeg. Posts not used shall, if not returned to stores, be charged to the surveyor at forty cents each.

18th. A deduction at such rate as the inspector of surveys recommends shall be made from the payments to survey contractors for every survey monument not erected in conformity with the provisions of the Manual of Survey, whether the deficiency be in the size of the pits or the marking or driving of the posts, but such deduction shall not be more than three times the amount allowed for erecting the monument. In paying for traverses, one dollar shall be deducted for every offset less than required by the Manual of Survey.

*Vide Canada Gazette, vol. xxxvi., p. 2037.*



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By Order in Council of the 4th of February, 1903, the regulations relating to hay lands in Manitoba and the North-west Territories were extended to include lands within the railway belt in the province of British Columbia, and the Minister of the Interior was authorized to grant leases and permits in accordance with such regulations.

*Vide Canada Gazette*, vol. xxxvi., p. 1927.

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By Order in Council of the 7th of March, 1903, the amount of the royalty to be collected on the gross output of coal mined on Dominion lands in the Yukon Territory was fixed for a period of ten years from the date of the Order at the rate of ten cents per ton of two thousand pounds, and the right of altering said rate after the expiration of such period of ten years was reserved.

*Vide Canada Gazette*, vol. xxxvi., p. 2033.

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By Order in Council of the 17th of March, 1903, the Minister of the Interior was empowered to sell land within the railway belt in British Columbia in certain cases where settlers entitled to a second homestead entry cannot comply with an amendment of clause 13 of the regulations for the management of Dominion lands within said railway belt made August 20, 1902. Such sales of land not to exceed 160 acres at the rate of \$1.00 per acre, subject to homestead conditions, the patent not to issue until these conditions have been performed to the satisfaction of the commissioner of Dominion lands.

*Vide Canada Gazette*, vol. xxxvi., p. 1985.

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By Order in Council of the 31st of March, 1903, in virtue of clause 47 of the Dominion Lands Act, as enacted by section 5 of the Act 55-56 Victoria, chapter 15, and of section 8 of the Yukon Territory Act, as enacted by section 3 of the Act 2 Edward VII., chapter 34, the provisions contained in the several subclauses of section 41 of the regulations established by Order in Council of the 13th of March, 1901, for payment at the option of the free miner, in lieu of assessment work, were rescinded on and after the first day of August, 1903.

*Vide Canada Gazette*, vol. xxxvi., p. 2037.

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By Order in Council of the 31st of March, 1903, in virtue of the provisions of clause 47 of the Dominion Lands Act, as enacted by section 5 of the Act 55-56 Victoria, chapter 15, and of section 8 of the Yukon Territory Act, as enacted by section 3 of the Act 2 Edward VII., chapter 34, form "N" of the regulations for the disposal of the right to divert and use water from any stream or lake and the right of way through and entry upon any mining ground for the purpose of constructing ditches and flumes to convey such

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water for mining purposes in the Yukon Territory established by the Order in Council of the 3rd August, 1898, was rescinded, and the following form substituted therefor:—

## FORM "N."

File No. ....

## GRANT OF RIGHT TO DIVERT WATER AND CONSTRUCT DITCHES.

## DEPARTMENT OF THE INTERIOR.

.....  
 Agency.....190 .

In consideration of the sum of ..... dollars paid on the date application is made for this grant.

The Minister of the Interior in accordance with the regulations in that behalf for the right to acquire, divert and use water from any stream or lake in the Yukon Territory, hereby grants to ..... for the term of ..... years from the date hereof, the right to divert and use the water from ..... to the extent of ..... inches, and no more, to be distributed as follows ..... and the right of way through and entry upon the following mining grounds ..... for the purpose of constructing ditches and flumes to convey such water, provided that such ditches and flumes are constructed and in working order within ..... from the date hereof.

Provided that this grant shall be deemed to be appurtenant to mining claim No. .... and shall cease and determine whenever the said claim shall have been worked out or abandoned, or the occasion for the use of such water upon the said claim shall have permanently ceased.

Provided also that this grant is subject to all the provisions of the Dominion mining regulations in that behalf whether the same are expressed herein or not. It is expressly the condition of this grant that the same is issued subject entirely to all rights subsisting at this date to the water in respect of which this grant is issued. Water to be flumed and tailings to be handled to the satisfaction of the mining inspector.

\$.....  
 .....

*Mining Recorder.*

*Vide Canada Gazette, vol. xxxvi., p. 2038.*

By Order in Council of the 31st of March, 1903, in virtue of clause 47 of the Dominion Lands Act, as enacted by section 5 of the Act chapter 15 of 55-56 Victoria, and of section 8 of the Yukon Territory Act, as enacted by section 3 of the Act chapter 34 of 2 Edward VII., section 2 of the regulations governing placer mining in the Yukon Territory, established by Order in Council of the 13th of March, 1901, was amended by striking out the fee of \$10 for which provision is made therein as the charge for a free miner's certificate to an individual, and substituting therefor \$7.50; and sections 29 and 34 of the said regulations were amended, by substituting a charge of \$10 for entry or for renewal of a placer mining claim in the place of the present charge of \$15.

*Vide Canada Gazette, vol. xxxvi., p. 2038.*

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By Order in Council of the 31st of March, 1903, in virtue of the provisions of clause 47 of the Dominion Lands Act, as enacted by section 5 of chapter 15 of 55-56 Victoria, and of section 8 of the Yukon Territory Act, as enacted by section 3 of chapter 34 of 2 Edward VII., the portion of section 6 of the regulations governing the issue of leases to dredge for minerals in the rivers of the Yukon Territory, and also section 6a of the said regulations were rescinded, and the following substituted therefor:—

“The same royalty shall be paid upon the output of gold as is provided, or may hereafter be provided, in the case of placer mining claims, such royalty to be paid in the manner provided in the regulations governing placer mining.”

*Vide Canada Gazette*, vol. xxxvi., p. 2038

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By Order in Council of the 14th of April, 1903, section 3 of the regulations governing the granting of licenses to cut timber on Dominion lands in Manitoba and the North-west Territories and within the railway belt in British Columbia, now in force, was repealed and the following substituted in lieu thereof:—

So long as the licensee complies with the conditions of his license and of the regulations, he shall be entitled to a renewal of his license from year to year while merchantable timber remains upon the area licensed. When a substantial portion of the said area has been denuded of timber, the Minister may dispose of the same under sale or settlement regulations, provided that no such disposition shall be made of land immediately contiguous to merchantable standing timber, or in such a way as to endanger destruction thereof by fire.

Subsection 2 of section 10 of the aforesaid regulations was rescinded.

Subsection 9 of section 10 of the same regulations was rescinded and the following substituted in lieu thereof:—

The license shall be subject to forfeiture for wilful infraction of any of the conditions to which it is subject, or for any fraudulent return, and in such case the Minister of the Interior shall, under the restrictions hereinafter provided, have the right, without compensation to the licensee, to cancel the same and to make a new license or disposition of the said berth to any other party in accordance with these regulations; provided that the Minister of the Interior, if he sees fit, may refrain from forfeiting such license for non-payment of dues and may enforce payment of such dues in the manner provided by the said Act; provided further that if the Minister shall decide to exercise the powers of cancellation conferred by this subsection he shall give the licensee three months' notice in writing, by mailing the same to the last known place of address of the licensee, and by publishing the said notice not less than once a week during three months in a newspaper published in the provinces of Manitoba and British Columbia, and publishing said notice also in each issue of the official gazette during a period of three months. If the licensee, within one month after the expiration of the last publication, as aforesaid, disputes the existence of any cause sufficient under this subsection to warrant the cancellation of his license, the question of fact involved shall be referred by the Minister to the Exchequer Court of Canada for report. The report of such court shall be appealable in like manner as any other decision of the said court. If the violation of the regulations refers merely to payment of money, the court may relieve from forfeiture on payment of double the amount found to be due, and costs. Upon the final report from the court being received, the Minister may proceed in accordance with such finding under this subsection.

*Vide Canada Gazette*, vol. xxxvi., p. 2329.



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*Department of Justice.*

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**Department of Justice.**

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By Order in Council of the 31st of May, 1902, an Ordinance chaptered 22, and intituled "An Ordinance respecting Foreign Companies," passed by the Lieutenant Governor and Legislative Assembly of the North-west Territories on June 12, 1901, was disallowed.

*Vide Canada Gazette*, vol. xxxvi., p. 3.

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By Order in Council of the 5th of December, 1902, an Act chaptered 34, and intituled "An Act to regulate Immigration into British Columbia," passed on June 21, 1902, by the Lieutenant Governor and Legislative Assembly of British Columbia, was disallowed.

*Vide Canada Gazette*, vol. xxxvi., p. 1046.

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By Order in Council of the 5th of December, 1902, an Act chaptered 38, and intituled "An Act relating to the employment on works carried on under franchises granted by Private Acts," passed by the Lieutenant Governor and Legislative Assembly of British Columbia on June 21, 1902, was disallowed.

*Vide Canada Gazette*, vol. xxxvi., p. 1046.

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By Order in Council of the 5th of December, 1902, an Ordinance chaptered 8 and intituled "An Ordinance to amend chapter 22 of the Ordinances of 1901, intituled "An Ordinance respecting Foreign Companies," passed by the Legislative Assembly of the North-west Territories in the session which closed on April 19, 1902, was disallowed.

*Vide Canada Gazette*, vol. xxxvi., p. 1046.

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By Order in Council of the 5th of December, 1902, an Act chaptered 48 and intituled "An Act to further amend the Coal Mines Regulation Act," passed by the Lieutenant Governor and Legislative Assembly of British Columbia on June 21, 1902, was disallowed.

*Vide Canada Gazette*, vol. xxxvi., p. 1046.

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By Proclamation dated 7th March, 1903, in virtue of the Revised Statutes of Canada, chapter 182, entitled "An Act respecting Penitentiaries," the tract of land situate in the province of British Columbia and described as follows, that is to say, Goose Island, situate about the centre of Pitt Lake in section 25, township 5, range 5, west of the seventh meridian, in the railway belt

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*Department of Justice.*

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in the province of British Columbia, is declared to be a penitentiary, and is to be so held, within the meaning of the said Act, as a penitentiary for the province of British Columbia, in the Dominion of Canada.

*Vide Canada Gazette*, vol. xxxvi., p. 1814.

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By Proclamation dated 6th April, 1903, in virtue of the Revised Statutes of Canada, chapter 182, "An Act respecting Penitentiaries," the tracts of land situated in the province of Ontario and described as follows:—

Firstly. All and singular that certain parcel or tract of land and premises situate, lying and being in the township of Kingston and county of Frontenac and province of Ontario and being the south-west part of a plot of  $4\frac{1}{2}$  acres of land known as lot No. 1 lying between King and Main streets in a town lot laid out upon the south-west quarter of lot No. 19 and on the front of lot No. 18 in the first concession of the said township of Kingston, containing by admeasurement about two and three-quarter acres of land; Secondly. Every street, highway or public thoroughfare of any kind leading to or from the lands hereinbefore described and set out, and along which it is necessary that convicts should pass in going to and returning from their work,—are declared to be a penitentiary and are to be so held within the meaning of the said Act as a penitentiary for the province of Ontario in the Dominion of Canada.

*Vide Canada Gazette*, vol. xxxvi., p. 2371.



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*Department of Marine and Fisheries.*

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**Department of Marine and Fisheries.**

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By Proclamation dated 14th November, 1901, the port of Tangier, in the province of Nova Scotia, was designated as a port to which the Act respecting Harbour Masters (chapter 86, R.S.C.) shall apply, and the limits of the said port for harbour masters' purposes were declared to embrace all the waters thereof inside of a line drawn from the east extreme of Ironbound Island to Mouseback Point; following the shores of the harbour and crossing from one island to another at the narrowest or shoalest points.

*Vide Canada Gazette*, vol. xxxvi., p. 122.

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By Order in Council of the 28th of March, 1902, the Order in Council passed on the 6th day of June, 1899, setting apart the waters around St. Paul's Island, lying to the north of the Island of Cape Breton, in the province of Nova Scotia, as a reserve for the natural propagation of lobsters and prohibiting fishing for the same therein, was cancelled.

*Vide Canada Gazette*, vol. xxxvi., p. 1554.

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By Proclamation dated 16th July, 1902, the Act respecting Harbour Masters (cap. 86, R.S.C.) was declared thereafter to apply to the port of Meaford, in the province of Ontario.

*Vide Canada Gazette*, vol. xxxvi., p. 173.

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By Order in Council of the 30th of August, 1902, the Order in Council of the 25th June, 1901, cancelling the Order in Council of the 30th May, 1883, and re-establishing the pilotage district of Baie Verte and Port Elgin, in the county of Westmoreland and province of New Brunswick, was amended by enacting that pilotage within the district referred to should be compulsory.

Regulations, as set forth, passed by the pilotage authority for the said district on the 2nd June, 1902, governing the said pilotage district of Baie Verte and Port Elgin in the county of Westmoreland and province of New Brunswick, were approved and all previous regulations were cancelled.

*Vide Canada Gazette*, vol. xxxvi., p. 445.

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By Order in Council of the 22nd of September, 1902, in accordance with the provisions of the Port Wardens' Act, chapter 85, Revised Statutes of Canada, the revised tariff of port warden fees proposed to be levied at the port of Vancouver, British Columbia, as set forth, were approved.

*Vide Canada Gazette*, vol. xxxvi., p. 646.

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*Department of Marine and Fisheries.*

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By Proclamation dated 5th October, 1902, the Act of the Parliament of Canada, 2 Edward VII., chapter 7, and intituled "An Act respecting the Coasting Trade of Canada," was brought into force on and after the date of the proclamation.

*Vide Canada Gazette*, vol. xxxvi., p. 681.

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By Proclamation dated 31st October, 1902, the Act respecting Harbour Masters (R.S.C. cap. 86) was applied to the port of Meaford, in the province of Ontario.

The limits of the said port for harbour masters' purposes were declared to embrace all the waters of Georgian Bay, west of a line running due north astronomically from the north extremity of the road between the townships of Collingwood and St. Vincent, at Boucher Point, and south of a line running due east from the eastern extremity of road between lots twenty-seven and twenty-eight in the sixth concession of the township of St. Vincent.

*Vide Canada Gazette*, vol. xxxvi., p. 853.

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By Proclamation dated 2nd January, 1903, the Act respecting Harbour Masters (cap. 86, R.S.C.) was applied to the port of Carleton, in the province of Quebec.

The limits of the said port were declared to comprise all the waters of Chaleur Bay east of the east boundary of the harbour of Nouvelle, west of the western boundary of the harbour of New Richmond, which shall be a line drawn due south astronomically from the extremity of Point Maria and north of the boundary line between the provinces of Quebec and New Brunswick.

*Vide Canada Gazette*, vol. xxxvi., p. 1324.

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By Proclamation dated 3rd January, 1903, the Act respecting Harbour Masters (cap. 86, R.S.C.) was declared to apply to the port of Nouvelle, in the province of Quebec.

The limits of said port were fixed as follows : to comprise all the waters of Chaleur Bay east of a line drawn due north and south astronomically through a point one nautical mile due west of the extremity of Maguasha Point; west of the boundary between the parishes of St. Omer and Carleton West, produced; and north of the dividing line between the provinces of Quebec and New Brunswick.

*Vide Canada Gazette*, vol. xxxvi., p. 1324.

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By Order in Council of the 3rd of February, 1903, the rules and regulations for the government of ports as established by the Order in Council of the 12th June, 1889, were further amended by adding to section 37 which

was made and established by the Order in Council of the 23rd April, 1894, the following subsection :—

Section 37 (b). For the purpose of allowing a clear space to practise the heavy guns established on Rodd hill and in His Majesty's dockyard at the entrance to Esquimalt harbour, Vancouver Island, British Columbia, vessels arriving in Royal roads between the 15th May and the 15th September in each year, must anchor to the westward of a line drawn from Duntze head to Race rocks lighthouse, and not less than one nautical mile distant from Duntze head. Vessels anchored to the eastward of this limit will be given twenty-four hours' notice to move out of the danger zone, and any charges incurred in moving such vessel shall be borne by the vessel.

By Order in Council of the 11th of March, 1903, the same inspection fees and dues as are imposed in United States ports upon Canadian passenger steamships, were imposed upon passenger vessels arriving at ports in Ontario from ports in the United States, under the provisions of subsection 3 of the 3rd section of the "Steamboat Inspection Act," chapter 46 of 61 Victoria.

The Canadian Order in Council of the 21st November, 1884, in conjunction with the Proclamation of President Arthur of 1885, was cancelled as regards the province of Ontario from the above date.

By Order in Council of the 8th of April, 1903, in virtue of the provisions of section 16 of the Fisheries Act, chapter 95 of the Revised Statutes of Canada, sections 1 and 2 of the lobster fishery regulations established by Order in Council of the 7th December, 1899, were amended as follows:—

1. By the omission from section 1 of the following words: "On and along that part of the coast or the waters thereof of the province of New Brunswick embraced and included within the county of Charlotte, and also", and by the addition to the aforesaid section of the words "and no one shall fish for, catch, kill, buy, sell or have in his possession, lobsters from the last day of June to the fifth day of January then next following, both days inclusive on and along that part of the coast or the waters thereof, of the province of New Brunswick, embraced and included within the county of Charlotte; nor shall any person within the above described limits, at any time, fish for, catch, kill, buy, sell or have in his possession any lobster or lobsters under ten and a half inches in length, measuring from head to tail, exclusive of claws or feelers."

2. By the addition to the aforesaid section 2 of the following words:—  
“excepting on the part of the coast or the waters thereof of the province of  
New Brunswick embraced and included within the county of St. John”,  
where it is hereby provided that no one shall fish for, catch, kill, buy, sell or  
have in his possession, lobsters from the last day of June in each year to the  
fifth day of January then next following, both days inclusive.

*Vide Canada Gazette*, vol. xxxvi., p. 2085.



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*Department of Marine and Fisheries.*

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By Order in Council of the 27th of April, 1903, in virtue of the provisions of section 16 of the Fisheries Act, chapter 95 of the Revised Statutes of Canada, the following special fishery regulations for the province of Ontario, were made, viz:—

1. Sturgeon shall not be captured, except by means of gill-nets and pound-nets. The mesh of a sturgeon net shall not be less than twelve inches extension measure.

2. Sturgeon shall not be captured during the months of May and June. (From 1st May to 30th June both days inclusive.)

3. The use, for the capture of sturgeon, of bare, unbaited hooks, or grapnels, spears or nets other than a sturgeon net, is prohibited.

4. No sturgeon under four feet in length shall be taken, bought, sold or possessed, and if captured shall be liberated alive.

*Vide Canada Gazette*, vol. xxxvi., p. 2208.

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By Order in Council of the 5th of May, 1903, in virtue of section 16 of the Fisheries Act, chapter 95 of the Revised Statutes of Canada, the Order in Council of the 27th of May, 1901, prohibiting net fishing in Lakes St. Francis and St. Louis, was rescinded, and the following fishery regulations were substituted in lieu thereof:—

Fishing with nets of any kind in the waters of Lakes St. Francis and St. Louis between a line drawn from the western boundary of Glengarry county, in the province of Ontario, and Huntingdon county, in the province of Quebec, and a line drawn across Lake St. Louis, coinciding with the Canadian Pacific Railway bridge, including the waters of Caughnawaga and Chateauguay, is prohibited, except, however, in that part of Lake St. Louis fronting the parish or township of Chateauguay, and extending to the middle of the lake, where not more than ten seining licenses may be granted to residents of the above named parish;

Providing, however, that no seining whatever may be carried on during the months of July and August in each year, and that no netting of any kind be allowed in the Chateauguay river, or within two hundred yards, on either side of its mouth.

*Vide Canada Gazette*, vol. xxxvi., p. 2263.

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By Order in Council of the 5th of May, 1903, in virtue of the provisions of section 16 of the Fisheries Act, chapter 95 of the Revised Statutes of Canada, the following fishery regulation was made:—

“No fishing with seines, hoop nets (verveux), or nets of any kind is to be allowed during the months of July and August in each year in that part of the St. Lawrence River extending from Three Rivers to the international boundary line between Canada and the United States, including the Ottawa, Richelieu, Yamaska, St. Francis, and all the other tributaries of the St. Lawrence within the above named limits.”

*Vide Canada Gazette*, vol. xxxvi., p. 2264.

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*Department of Marine and Fisheries.*

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By Order in Council of the 16th of May, 1903, in accordance with the provisions of the Pilotage Act, chapter 80, Revised Statutes of Canada, a pilotage district was established to be known as the St. Ann's pilotage district, Victoria county, Cape Breton, to embrace "all the waters of St. Ann's bay and harbour in the county of Victoria, Island of Cape Breton, and province of Nova Scotia, within the limits of a line drawn from the outermost point of Cape Dauphin to the outer point of Bird Island, thence running in a north-westerly direction to northern side of Breeding Cove."

*Vide Canada Gazette*, vol. xxxvi., p. 2409.

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By Proclamation dated 9th June, 1903, the Act respecting Harbour Masters (cap. 86, R.S.C.) was applied to the port of Big Bras d'Or, in the province of Nova Scotia.

The limits of the said port were declared to comprise all the waters of Great Bras d'Or, including the port of New Campbellton, west of a line joining Cape Dauphin and Table Head, and east of a line drawn due south magnetically across Great Bras d'Or from the extremity of Point Jane.

*Vide Canada Gazette*, vol. xxxvi., p. 2563.

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By Order in Council of the 23rd of June, 1903, in virtue of the provisions of chapter 34 of the Act 62-63 Victoria, by-laws, as set forth, numbered from 1 to 23, inclusive, passed by the Quebec Harbour Commissioners as pilotage authority for the harbour and port of Quebec, were confirmed.

*Vide Canada Gazette*, vol. xxxvi., p. 2611.



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*Department of Public Works.*

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**Department of Public Works.**

By Order in Council of the 25th of February, 1903, the tariff of tolls as set forth to be charged by the Upper Ottawa Improvement Company, Limited, in connection with the improvements of their works for the season of 1903 was approved.

*Vide Canada Gazette*, vol. xxxvi., 1754.

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By Order in Council of the 17th of March, 1903, the tariff of tolls as set forth to be charged by the Rouge Boom Company of Calumet, Limited, in connection with the improvements of their works for the season of 1903 was approved.

*Vide Canada Gazette*, vol. xxxvi., p. 1927.

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By Order in Council of the 14th of April, 1903, the tariff of tolls as set forth to be charged by the French River Boom Company, Limited, of Toronto, Ontario, for the use of their works during the season of 1903 was approved.

*Vide Canada Gazette*, vol. xxxvi., p. 2207.

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*Department of Railways and Canals.*

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**Department of Railways and Canals.**

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By Order in Council of the 31st of October, 1902, by-laws Nos. 6 and 7 as set forth, adopted at a special general meeting of the British Yukon Railway Company, held on the 25th July, 1902, fixing the passenger and freight tariffs and enacting regulations to govern on that road, were sanctioned.

*Vide Canada Gazette*, vol. xxxvi., p. 998.

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By Order in Council of the 4th of February, 1903, certain provisions as set forth for "general conditions of carriage" for freight over the Canadian Government railways were adopted in substitution for those at present in force on the Intercolonial Railway under authority of the Order in Council of the 26th of October, 1889, and for those in force on the Prince Edward Island Railway under authority of the Order in Council of the 15th October, 1889.

*Vide Canada Gazette*, vol. xxxvi., p. 1618.

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By Order in Council of the 31st of March, 1903, the Order in Council of the 4th February, 1903, adopting "general conditions of carriage" for freight over the Canadian Government railways, was amended to the effect of substituting, in place of clause No. 28 of the said conditions (relative to the loading of lumber) clause No. 28 hereto attached:—

28. Except as hereafter stated all lumber must be loaded at sidings or spurs, and not on the main tracks of any through or branch line. By special arrangement with the superintendent, the loading of lumber may be permitted on such main tracks when in quantities sufficient for a full train load of twelve cars, and when so placed as to be readily loaded on the cars with the assistance of an engine. The extra charge for engine service shall be three dollars per hour, with a minimum charge of fifteen dollars for any part of a day; the time to count from the hour the engine is ordered out for such service until it is registered in again, including running to and from the working point but not including any time during which the engine is laid up for the night. In the event of the engine and crew being sent, after the loading is completed, to some point other than the point from which originally ordered for such special service, the time shall count until the engine and crew are registered in at such other point, but not longer than would have been occupied in returning the engine and crew to such original starting point.

*Vide Canada Gazette*, vol. xxxvi., p. 2034.

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By Order in Council of the 31st of March, 1903, under the provisions of section 217 of the Railway Act, as amended by section 9 of the Act of 1900, chapter 23, approval was given with certain amendments to certain by-laws, indicated by the letters "B" "C" and "D," adopted by the Algoma Central

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*Department of Railways and Canals.*

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and Hudson Bay Railway Company at a meeting of the shareholders thereof held on the 27th of October, 1902, fixing the tolls to be taken for the transportation of passengers and goods, and making regulations for the conduct of passengers and persons using the property of the company, also fixing the wharfage tolls to be in force at the International dock, Sault Ste. Marie, the Michipicoten dock Michipicoten, the Power dock and Commercial dock at Sault Ste. Marie; also (by-law "B") authorizing the directors to fix and regulate both freight and passenger tolls and charges.

*Vide Canada Gazette, vol. xxxvi., p. 2086.*

*Department of the Secretary of State.***Department of the Secretary of State.**

Letters patent have been issued, as dated below, incorporating the following companies, and notices thereof have been published in volume xxxvi. (1st July, 1902, to 30th June, 1903) of the *Canada Gazette* at the pages stated :—

Acetylene Construction Co., capital \$10,000, 10th February, 1903.....	1558
Advance Co., capital \$16,000, 18th July, 1902.....	87
Advent Co., capital \$16,000, 18th July, 1902.....	87
A. Kelly Milling Co., capital \$400,000, 22nd May, 1903.....	2374
Andrews-Gage Grain Co., capital \$500,000, 8th April, 1903.....	2042
Apple and Produce Cold Storage and Forwarding Co., capital \$100,000, 10th October, 1902.....	646
Auer Incandescent Light Manufacturing Co., capital reduced to \$100,000, 26th June, 1903.....	2616
Berry Furnace Co., capital \$20,000, 24th April, 1903.....	2160
B. Houde Co., capital \$500,000, 19th February, 1903.....	1625
Big River Lumber Co., capital \$250,000, 8th May, 1903.....	2276
Bonanza Creek Hydraulic Concession, capital \$1,000,000, 29th July, 1902....	179
Boyer Gold Mining Co., capital \$20,000, 6th May, 1903.....	2276
Bell Thread Co., capital \$49,500, 3rd June, 1903.....	2517
British Monoline Co., capital \$100,000, 20th August, 1902.....	299
Calgary Cattle Co., capital \$100,000, 25th August, 1902.....	345
Canada Marine Rescue Device Co., capital \$90,000, 13th May, 1903.....	2332
Canada Realty and Construction Co., capital \$145,000, 12th November, 1902...	861
Canada Tape and Ribbon Printing Co., capital \$5,000, 6th December, 1902....	1055
Canada West Land Co., capital \$20,000, 18th June, 1903.....	2566
Canada Wood Manufacturing Co., capital \$500,000, 19th December, 1902....	1100
Canadian Aluminum Works, capital \$100,000, 2nd July, 1902.....	7
Canadian Audit Co., capital \$20,000, 16th March, 1903.....	1873
Canadian Bullock Electric Manufacturing Co., capital \$1,000,000, 19th June, 1903.....	2567
Canadian Cattle Co., capital \$300,000, 9th April, 1903.....	2042
Canadian Commercial Co., capital \$300,000, 17th April, 1903.....	2100
Canadian Elevator Co., capital \$1,000,000, 4th July, 1902.....	7
Canadian Iron and Foundry Co., capital \$150,000, 29th July, 1902.....	178
Canadian Lake and Ocean Navigation Co., capital \$3,000,000, 2nd September, 1902.....	393
Canadian Miller Signal Co., capital \$1,000,000, 30th April, 1903.....	2215
Canadian North-West Steamship Co., capital \$250,000, 19th June, 1903.....	2569
Canadian Otis Elevator Co., capital \$250,000, 4th September, 1902.....	394
Capital increased to \$400,000, 27th February, 1903.....	1693
Canadian Pneumatic Tool Co., capital \$50,000, 4th July, 1902.....	8
Canadian Towage and Transportation Co., capital \$20,000, 24th April, 1903...	2160
Canadian Wood-Working Co., capital \$40,000, 15th August, 1902.....	257
Canadian Woollen Manufacturing Co., capital \$750,000, 26th September, 1902..	554
Castle Wine and Spirit Co., capital \$40,000, 22nd May, 1903.....	2374



*Department of the Secretary of State.*

Centrifugal Windmill and Manufacturing Co., capital \$20,000, 18th December, 1902.....	1099
Chemists and Surgeons' Supply Co., capital \$40,000, 5th September, 1902.....	395
Clare, Bros. & Co., capital \$290,000, 5th March, 1903.....	1755
Club Jacques Cartier, capital \$20,000, 19th June, 1903.....	2567
Clothing Clearers, capital \$20,000, 10th June, 1903.....	2517
Coal Creek Coal Co., capital \$400,000, 20th January, 1903.....	1383
Colonial Elevator Co., capital \$350,000, 30th April, 1903.....	2215
Compagnie de Publication du Canada, capital \$150,000, 16th January, 1903...	1327
Compagnie de Produits Chimiques de Labelle, capital \$100,000, 1st May, 1903.	2216
Comptoir Mobilier du Canada, capital \$300,000, 2nd May, 1903.....	2275
Corona Hotel Co., capital \$50,000, 12th August, 1902.....	257
Country Club, capital \$20,000, 23rd April, 1903.....	2160
Credit Co. of Canada, capital \$10,000, 13th May, 1903.....	2332
Crescent Manufacturing Co., capital \$500,000, 29th January, 1903.....	1437
Crown Grain Co., capital \$250,000, 26th February, 1903.....	1693
C. W. Lindsay, capital \$400,000, 3rd July, 1902.....	7
Dominion Cartridge Co., capital increased to \$1,000,000, 12th January, 1903...	1327
Dominion Compressed Air Dustless House Cleaning Co., capital \$99,500, 2nd October, 1902.....	599
Dominion Furniture Mfg. Co., capital \$100,000, 2nd July, 1902.....	7
Dominion Grain-Growing Co., capital \$100,000, 26th August, 1902.....	345
Dominion Lands Colonization Co., capital reduced to \$54,520, 20th February, 1903	1625
Dominion Packing Co., capital \$1,000,000, 19th September, 1902.....	503
Dominion Transportation and Towing Co., capital \$80,000, 22nd April, 1903...	2159
Dominion Wire Rope Co., capital increased to \$200,000, 2nd January, 1903...	1211
Eclipse Lighting and Heating Co., capital \$200,000, 19th September, 1902....	503
Electrical Trades Association of Canada, capital \$2,000, 28th August, 1902....	346
Electric Display Advertising Co., capital \$15,000, 28th July, 1902.....	178
Elgin Loan and Savings Co., capital \$312,500, 17th October, 1902.....	684
Engineering and Contracting Co. of Canada, capital \$500,000, 26th December, 1902.....	1151
Federal Sugar Refining Co. of Canada, capital \$6,000,000, 29th August, 1902..	346
Fensom Elevator Co., capital \$150,000, 20th February, 1903.....	1626
F. J. Castle Co., capital \$145,000, 3rd February, 1903.....	1496
German-American Land Co., capital \$500,000, 16th December, 1902.....	1099
Gorham Co., capital increased to \$100,000, 8th April, 1903.....	2041
Grand Valley Co., capital \$200,000, 6th May, 1903.....	2275
Great Northern Lumber Co., capital \$50,000, 24th October, 1902.....	728
Greenshields, Limited, capital \$1,500,000, 20th February, 1903.....	1625
Gaults, Limited, capital \$750,000, 19th June, 1903.....	2568
Guline Manufacturing Co., capital \$150,000, 12th June, 1903.....	2517
Halifax and Newfoundland Steamship Co., powers extended, 12th February, 1903.....	1557
Hantsport Graving Blocks Co., capital \$2,000, 14th August, 1902.....	257
H. D. Metcalfe Co., capital \$100,000, 14th November, 1902.....	905
Hewson Woolen Mills, capital \$175,000, 5th February, 1903.....	1497
Hill Electric Switch Co., capital \$10,000, 5th November, 1902.....	819
H. Lamontagne & Co., capital \$400,000, 14th August, 1902.....	257
H. R. Ives Co., capital \$350,000, 19th May, 1903.....	2373
Imperial Pulp Co., capital \$90,000, 2nd January, 1903.....	1211
International Rubber Co., capital \$50,000, 29th October, 1902.....	772
J. Bruce Payne, capital \$100,000, 19th June, 1903.....	2567

*Department of the Secretary of State.*

J. C. Wilson & Co., capital \$1,000,000, 28th November, 1902.....	953
John Fisher & Son, capital \$200,000, 19th June, 1903.....	2568
John Lovell & Son, capital \$130,000, 2nd March, 1903.....	1990
J. W. Peck & Co., capital \$750,000, 22nd April, 1903.....	2159
J. Y. Griffin & Co., capital \$500,000, 19th December, 1902.....	1099
Klotz Co., capital \$20,000, 27th March, 1903.....	1935
Lacto-Globulin Co., capital \$100,000, 24th April, 1903.....	2160
Lake of the Woods Milling Co., capital \$4,000,000, 29th May, 1903.....	2416
Laurentide Mica Co., capital \$20,000, 19th March, 1903.....	1873
Laurentide Pulp Co., capital increased to \$2,800,000, name changed to that of Laurentide Paper Co. and powers extended, 19th June, 1903.....	2569
L. H. Packard & Co., capital \$95,000, 9th April, 1903.....	2043
Londonderry Iron and Mining Co., capital \$1,000,000, 24th October, 1902....	728
Mackenzie-Samis Ranching Co., capital \$20,000, 27th February, 1903.....	1693
Manitoba Ranching and Grain Growing Co. of Carberry, capital \$299,000, 27th May, 1903.....	2416
Massey-Harris Co., capital increased to \$8,000,000, 26th June, 1903.....	2616
Meakins & Sons, capital \$100,000, 22nd August, 1902.....	300
Mexican Light & Power Co., capital \$12,000,000, 12th September, 1902.....	450
Milwaukee Brewing and Malting Co., capital \$480,000, 10th June, 1903.....	2517
Montreal District Workmen Building Association, capital \$50,000, 24th October, 1902.....	728
Montreal Novelty Co., capital \$5,000, 22nd July, 1902.....	131
Montreal Rubber Co., capital \$20,000, 6th April, 1903.....	2042
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Mount Royal Foundry Co., capital \$45,000, 26th December, 1902.....	1151, 1272
National Light, Heat and Power Co., capital \$1,000,000, 9th January, 1903....	1272
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Nova Scotia Shipping Co., capital \$100,000, 24th September, 1902.....	553
Oriental Silk Co., capital \$20,000, 11th September, 1902.....	450
Ormstown Temperance Co., capital \$15,000, 6th March, 1903.....	1756
Ottawa Stationery and Office Supply Co., capital \$10,000, 19th June, 1903....	2569
Parker-Eakins Co., capital \$100,000, 13th February, 1903.....	1558
Peat Coal Co. of Canada, capital \$150,000, 23rd January, 1903.....	1384
Peck Rolling Mills, capital \$600,000, 8th July, 1902.....	50
Peddie Rifle Sight Co., capital \$100,000, 20th August, 1902.....	299
Peoples Gas Supply Co., capital \$20,000, 19th November, 1902.....	905
Phoenix Bridge & Iron Works, capital \$500,000, 19th June, 1903.....	2568
Poole-Stewart Publishing Co. of Toronto, capital \$20,000, 17th October 1902..	684
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Pontiac Steamship Co., capital \$120,000, 30th December, 1902.....	1211
Poulin Lumber Co., capital \$50,000, 12th July, 1902.....	86
Prairie Lumber Co., capital \$100,000, 26th November, 1902.....	953
Provincial Wrecking Co., capital \$20,000, 1st April, 1903.....	1989
Queen's Hotel Co., capital \$300,000, 13th March, 1903.....	1873
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Reardon Broom Co., capital \$20,000, 26th September, 1902.....	554
Reliance Cigar Factory, capital \$50,000, 16th December, 1902.....	1150
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*Department of the Secretary of State.*

St. Hyacinthe Distillery, Packing and Vinegar Co., capital \$260,000, 26th December, 1902 .....	1151
St. Lawrence and Chicago Steam Navigation Co., capital increased to \$1,000,000, 8th April, 1903 .....	2041
St. Lawrence Starch Co., capital increased to \$250,000, 17th October, 1902....	684
Salem Co., capital \$50,000, 23rd January, 1903 .....	1384
Saskatchewan Lumber Co., capital \$500,000, 20th August, 1902.....	299
Saskatchewan Valley and Manitoba Land Co., capital \$3,000,000, 19th June, 1903 .....	2567
Schooner Lady of Avon Co., capital \$15,000, 31st July, 1902.....	179
Simplex Railway Appliance Co. of Canada, capital \$500,000, 9th January, 1903.	1272
Smith & McKeown Shirt Manufacturing Co., capital \$15,000, 2nd September, 1902.....	394
Société des Pompes Funèbres de Montreal, capital \$20,000, 30th July, 1902....	179
Standard Bag Co., capital \$10,000, 26th September, 1902....	554
Standard Coal Co., capital \$20,000, 4th February, 1903 .....	1496
Standard Heating and Sprinkler Co., capital \$50,000, 22nd August, 1902.....	300
Starke Hardware Co., capital \$250,000, 6th May, 1903 .....	2275
Sterling Chemical Co., capital \$20,000, 3rd October, 1902.....	600
Taylor-Forbes Co., capital \$300,000, 3rd October, 1902.....	600
T. Long & Brother Co., name changed to that of T. Long and Brother, 16th January, 1903 .....	1327
Temple-Pattison Co., capital \$100,000, 6th December, 1902.....	1055
Twelve Mile Quartz Mining & Development Co., capital \$250,000, 5th February, 1903 .....	1497
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United Mineral Wool and Asbestos Co. of Canada, capital \$20,000, 20th March, 1903 .....	1874
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W. D. Matthews Co., capital \$100,000, 23rd January, 1903.....	1383
Welland Canal Tug Co., capital \$95,000, 13th May, 1903 .....	2332
West End Land and Improvement Co., capital \$350,000, 30th April, 1903 .....	2215
Western Elevator Co., capital increased to \$300,000, 11th March, 1903.....	1817
Western Packing Co. of Canada, capital \$500,000, 10th February, 1903 .....	1557
Western Steamship Co., capital \$100,000, 30th January, 1903.....	1437
Western Stock Yards Co., capital \$200,000, 17th April, 1903 .....	2100
Windsor Foundry and Machine Co., capital \$49,950, 28th November, 1902....	954
Winnipeg Elevator Co., capital increased to \$750,000, 19th September, 1902...	503
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ACTS  
OF THE  
PARLIAMENT  
OF THE  
DOMINION OF CANADA

PASSED IN THE SESSION HELD IN THE  
THIRD YEAR OF THE REIGN OF HIS MAJESTY  
KING EDWARD VII.

BEING THE  
THIRD SESSION OF THE NINTH PARLIAMENT

*Begun and holden at Ottawa, on the Twelfth day of March, and  
closed by Prorogation on the Twenty-fourth day of October, 1903*



HIS EXCELLENCY THE  
RIGHT HONOURABLE SIR GILBERT JOHN ELLIOT, EARL OF MINTO  
GOVERNOR GENERAL

VOL. I.  
PUBLIC GENERAL ACTS

OTTAWA  
PRINTED BY SAMUEL EDWARD DAWSON  
LAW PRINTER TO THE KING'S MOST EXCELLENT MAJESTY  
ANNO DOMINI 1903







## 3 EDWARD VII.

### CHAP. I.

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 30th June, 1903.

[Assented to 25th June, 1903.]

MOST GRACIOUS SOVEREIGN,

WHEREAS it appears by a message from His Excellency Preamble.  
the Right Honourable Sir Gilbert John Elliot, Earl of Minto, Governor General of Canada, and the estimates accompanying the said message, that the sums hereinafter mentioned are required to defray certain expenses of the public service of Canada, not otherwise provided for, for the financial year ending the thirtieth day of June, one thousand nine hundred and three, and for other purposes connected with the public service: May it therefore please Your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that:—

1. This Act may be cited as *The Appropriation Act (No. 1)*, Short title.  
1903.

2. From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole one million three hundred and eighty-four thousand and sixteen dollars and fifty-one cents, towards defraying the several charges and expenses of the public service of Canada, from the first day of July, in the year of Our Lord one thousand nine hundred and two, to the thirtieth day of June, in the year of Our Lord one thousand nine hundred and three, not otherwise provided for, and set forth in the schedule to this Act.

\$1,384,016.51  
granted for  
financial year  
1902-1903.

Account to  
be rendered  
in detail.

**3.** A detailed account of the sums expended under the authority of this Act shall be laid before the House of Commons of Canada during the first fifteen days of the then next session of Parliament.

## SCHEDULE.

SUMS granted to His Majesty by this Act for the financial year ending 30th June, 1903, and the purposes for which they are granted.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
CHARGES OF MANAGEMENT.		
Printing and engraving Dominion notes—Additional amount.....	30,000 00	
Clerical assistance in connection with the issue and redemption of Dominion notes—Additional amount.....	900 00	
		30,900 00
CIVIL GOVERNMENT.		
<i>Department of Marine and Fisheries</i> —Contingencies—Further amount...	1,000 00	
<i>Department of Railways and Canals</i> —Contingencies—Printing and stationery—Further amount.....	1,500 00	
<i>Department of the Secretary of State</i> —Contingencies—Including payment to Francis E. Fallon at \$2 per day, notwithstanding anything in the Civil Service Act—Further amount.....	2,075 00	
<i>Board of Civil Service Examiners</i> —Expenses—Further amount.....	250 00	
<i>Department of Labour</i> —W. W. Edgar, from January 14 to June 30, 1903, at \$1,400 per annum, and F. Plant from July 1, 1902 to June 30, 1903, at \$1,200 per annum, notwithstanding anything in the Civil Service Act.....	851 08	
<i>Department of the Geological Survey</i> —A. P. Low, a technical officer, from February 16 to June 30, 1903, at \$1,950 per annum.....	725 45	
<i>Auditor General's Office</i> —Contingencies—Clerical and other assistance—Further amount.....	800 00	
<i>Department of Finance</i> —Contingencies—Clerical assistance.....	700 00	
Printing and stationery.....	1,000 00	
Sundries.....	200 00	
<i>Department of Militia and Defence</i> —Contingencies—Printing and stationery.....	1,500 00	
Sundries.....	3,500 00	
<i>Department of Indian Affairs</i> —Contingencies—Printing and stationery—Further amount.....	2,500 00	
<i>Department of Public Works</i> —Contingencies—Further amount.....	7,500 00	
<i>Department of Justice</i> —E. Hecker, the difference between \$1,100 and \$1,400, from August 1, 1902, until January 31, 1903, \$150. and his salary as chief clerk and accountant of penitentiaries from February 1 until June 30, 1903, \$750, notwithstanding anything in the Civil Service Act.....	900 00	
R. R. Creighton, salary as 2nd class clerk at \$1,200 per annum from February 13 until June 30, 1903, on his transfer from the Kingston penitentiary, which is hereby confirmed and is not to be deemed a new appointment, notwithstanding anything in the Civil Service Act.	457 14	
George Shields, for extra clerical work for three months in 1902 at \$35 per month, notwithstanding anything in the Civil Service Act...	105 00	
<i>Department of the Interior</i> —Contingencies—Printing and stationery—Further amount.....	4,000 00	
<i>Post Office Department</i> —Contingencies—Provisional allowance to J. W. T. Dickson, a temporary writer in the Branch Dead Letter Office, Winnipeg, from March 15, 1903, to June 30, 1903, at the rate of \$10 a month.....	35 00	
Sundries.....	700 00	
Clerical and other assistance.....	700 00	
		30,998 67

## SCHEDULE—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
ADMINISTRATION OF JUSTICE.		
MISCELLANEOUS.		
Miscellaneous justice—Additional amount.....	5,000 00	
YUKON.		
Witness and jury fees—Further amount.....	3,000 00	
SUPREME COURT OF CANADA.		
E. R. A. Taschereau, as extra clerk from January 1, 1903, at the rate of \$1,200 per annum .....	\$ 600 00	
Supplementary catalogue of Supreme Court library—Printing, binding, etc. ....	350 00	
Supreme Court reports—Further amount for printing and binding.....	250 00	
Contingencies—Further amount.....	750 00	
To purchase library of Sir Henry Strong, for use of all the judges.....	3,000 00	
	4,950 00	12,950 00
PENITENTIARIES.		
KINGSTON.		
John Gordon, ex-trade instructor, retiring gratuity.....	\$ 315 66	
William Sullivan, ex-deputy warden, retiring gratuity.....	1,033 68	
Æ. D. O. Macdonell, gratuity on retirement .....	2,408 33	
Instructor P. Moncrieff, gratuity on retirement. ....	714 56	
Keeper P. O'Connor, gratuity on retirement.....	1,042 26	
	5,514 49	
ST. VINCENT DE PAUL.		
Warden J. A. Duchesneau, retiring gratuity.....	2,400 00	
DORCHESTER.		
Henry Godsoe, ex-keeper and ex-trade instructor, retiring gratuity .....	1,812 97	
MANITOBA.		
Grant to the public school at Stony Mountain, in lieu of school fees paid by officers of the penitentiary .....	250 00	
REGINA JAIL.		
Purchase of additional land.....	4,800 00	14,777 46
LEGISLATION.		
SENATE.		
Representatives of the late Senator Gillmor the balance of his sessional indemnity. (This sum to be paid as the Treasury Board may direct).....	\$ 457 40	
Contingencies—Further amount .....	1,850 00	
	2,307 40	
HOUSE OF COMMONS.		
Printing, printing paper and binding.....	\$ 15,000 00	
Stationery.....	2,500 00	
Publishing debates .....	10,000 00	
	27,500 00	



## SCHEDULE—Continued.

SERVICE.	Amount.	Total.
LEGISLATION— <i>Concluded.</i>	\$ cts.	\$ cts.
LIBRARY.		
Increase of salary from \$600 to \$800 per annum to Mrs. A. Lampman from January 14 to June 30, 1903, notwithstanding anything in the Civil Service Act.....	93 01	29,900 41
ARTS, AGRICULTURE AND STATISTICS.		
Patent Record—Further amount for printing .....	4,000 00	
Year Book, 1901—Further amount.....	500 00	
Archives—Further amount .....	500 00	
Printing and distribution of Reports and Bulletins of Farms—Further amount .....	3,000 00	
Fumigating stations—Further amount .....	250 00	8,250 00
QUARANTINE.		
Organized districts and public health.....	60,000 00	
Cattle quarantine.....	50,000 00	110,000 00
IMMIGRATION.		
Further amount.....		100,000 00
MILITIA.		
(Chargeable to Income.)		
Annual drill, clothing and stores—Further amount.....	100,000 00	
Pay and allowances—Lt.-Col. Biggar, difference between \$2,000 and \$2,800 per annum for seven months ending June 30, 1902.....	466 66	
Salaries and wages—Further amount.....	5,000 00	
Contingencies—Further amount.....	2,000 00	
Royal review at Toronto—Transport claims.....	1,038 82	
To recoup Capt. W. H. Murray, 3rd R.C.R., for pay funds stolen.....	155 00	
Sgt. John Conroy, of London, Ont., gratuity.....	103 00	
Family of the late Lt.-Col. T. J. Walsh, caretaker of the drill hall, Halifax, gratuity.....	91 50	
Widow of the late Samuel Fisher, Stores Branch, gratuity.....	122 00	108,974 98
RAILWAYS AND CANALS.		
(Chargeable to Capital.)		
RAILWAYS.		
Intercolonial.		
Steel rails and fastenings. ....		275,000 00
PUBLIC WORKS.		
(Chargeable to Income.)		
PUBLIC BUILDINGS.		
<i>Rents, Repairs, Furniture, Heating, Etc.</i>		
Rideau Hall, including grounds—Renewals, improvements, furniture and maintenance. ....	\$ 12,200 00	
Ottawa public buildings—Repairs, materials, furniture, etc..	36,000 00	
Dominion public buildings—Salaries of engineers, firemen, caretakers, etc. ....	31,000 00	
Ottawa public buildings—Heating, including salaries of engineers, firemen and watchmen. ....	22,000 00	101,200 00

## SCHEDULE—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
<b>PUBLIC WORKS—Concluded.</b>		
(Chargeable to Income.)—Concluded.		
<b>MISCELLANEOUS.</b>		
Chief Engineer's office—Salaries of engineers, draughtsmen and clerks, notwithstanding anything in the Civil Service Act . . . . .	\$ 10,500 00	
Temporary clerical and other assistance, inclusive of services of all persons required, who were first employed after July 1, 1882, notwithstanding anything in the Civil Service Act . . . . .	4,100 00	
Gratuity equal to one month's salary of the late Firmin Vailancourt, assistant gardener in connection with public buildings, Ottawa. . . . .	32 50	
	14,632 50	115,832 50
<b>OCEAN AND RIVER SERVICE.</b>		
Dominion steamers—Further amount . . . . .	30,000 00	
Extras and alterations to steamers <i>Lady Laurier</i> and <i>Druid</i> , including supplies, etc.—Further amount . . . . .	18,000 00	
Tidal service, including the maintenance of the surveying steamer <i>Gulnare</i> to June 30—Further amount . . . . .	7,000 00	
Investigations into wrecks—Further amount . . . . .	500 00	55,500 00
<b>LIGHTHOUSE AND COAST SERVICE.</b>		
Maintenance and repairs to lighthouses—Further amount. . . . .	35,000 00	
Expenses of the commission appointed to investigate the question of the construction of a dry dock in the east end of the harbour of Montreal. . . . .	5,000 00	
Repairs to and lengthening lighthouse steamer <i>Scout</i> . . . . .	10,000 00	50,000 00
<b>FISHERIES.</b>		
Salaries and disbursements of fishery officers—Further amount. . . . .		30,000 00
<b>NORTH-WEST MOUNTED POLICE.</b>		
Services in the Yukon Territory—Further amount. . . . .		150,000 00
<b>MISCELLANEOUS.</b>		
Expenses in connection with the Alaska Boundary Tribunal. . . . .		50,000 00
<b>COLLECTION OF REVENUE.</b>		
<b>PUBLIC WORKS.</b>		
Land and cable telegraph lines of the sea-coasts and islands of the lower River and Gulf of St. Lawrence and maritime provinces—Working expenses and maintenance—Lines on north shore of St. Lawrence and cable ss. <i>Tyrian</i> —Additional amount. . . . .	30,000 00	

SCHEDULE—Concluded.

SERVICE.	Amount.	Total.
COLLECTION OF REVENUE—Concluded.	\$ cts.	\$ cts.
PUBLIC WORKS—Concluded.		
<i>Telegraph Lines, Yukon District.</i>		
Working expenses main line Ashcroft to International boundary and branches.....	52,418 00	
Working expenses, including works of reconstruction—Additional amount.....	123,000 00	205,418 00
Total.....		1,384,016 51

OTTAWA : Printed by SAMUEL EDWARD DAWSON, Law Printer to the King's most Excellent Majesty.







## 3 EDWARD VII.

### CHAP. 2.

An Act for granting to His Majesty certain sums of money for the public service of the financial years ending respectively the 30th June, 1903, and the 30th June, 1904.

[Assented to 10th July, 1903.]

MOST GRACIOUS SOVEREIGN,

WHEREAS it appears by a message from His Excellency Preamble.  
the Right Honourable Sir Gilbert John Elliot, Earl of Minto, Governor General of Canada, and the estimates accompanying the said message, that the sums hereinafter mentioned are required to defray certain expenses of the public service of Canada, not otherwise provided for, for the financial years ending respectively the thirtieth day of June, one thousand nine hundred and three, and the thirtieth day of June, one thousand nine hundred and four, and for other purposes connected with the public service: May it therefore please Your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that:—

1. This Act may be cited as *The Appropriation Act (No. 2)*, Short title. 1903.

2. From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole seven hundred and eight thousand one hundred and seventy-nine dollars and fifty-two cents, towards defraying the several charges and expenses of the public service, from the first day of July, in the year of Our Lord one thousand nine hundred and two, to the thirtieth day of June, in the year of Our Lord one thousand nine hundred and three, not otherwise provided for, and set forth in schedule A to this Act. \$708,179.52  
granted for  
financial year  
1902-1903.

3. From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole eighteen million three hundred and forty-two thousand six hundred \$18,342,669.37  
granted for  
financial year  
1903-1904.

hundred and sixty-nine dollars and thirty-seven cents, towards defraying the several charges and expenses of the public service, from the first day of July, in the year of Our Lord one thousand nine hundred and three, to the thirtieth day of June, in the year of Our Lord one thousand nine hundred and four, not otherwise provided for, and set forth in schedule B to this Act.

Special provision as to N.W. T.

4. The amounts granted by this Act for the Government of the North-west Territories shall not be deemed to have lapsed if not expended within the year for which they are granted.

Declaratory as to certain loans authorized but not raised.

5. And whereas there remained on the thirtieth day of June, one thousand nine hundred and three, unborrowed and negotiable, of the loans authorized by Parliament for the construction of public works, and for general purposes, the following sums :—

Authorized and guaranteed by the Imperial Parliament.....	\$ 1,946,666 66
For public works and general purposes.....	18,299,347 57
	<hr/>
	\$20,246,014 23

Such sums may be raised under R.S.C., c. 29.

Therefore it is declared and enacted, that the Governor in Council may authorize the raising of the several sums above mentioned, as they are required for the purposes aforesaid, respectively, under the provisions of *The Consolidated Revenue and Audit Act*, and the sums so raised shall form part of the Consolidated Revenue Fund, out of which like sums shall be applicable to the several purposes aforesaid, under the Acts and provisions thereunto relating respectively.

Account to be rendered in detail.

6. A detailed account of the sums expended under the authority of this Act shall be laid before the House of Commons of Canada during the first fifteen days of the then next session of Parliament.

## SCHEDULE A.

SUMS granted to His Majesty by this Act for the financial year ending 30th June, 1903, and the purposes for which they are granted.

SERVICE.	Amount.	Total.
<b>PUBLIC WORKS.</b>	\$ cts.	\$ cts.
<i>(Chargeable to Capital.)</i>		
<b>HARBOURS AND RIVERS.</b>		
<i>Ontario.</i>		
River Kaninistiquia—Dredging.....	24,706 15	
<b>TRAILS, ROADS AND BRIDGES.</b>		
<i>Yukon Territory.</i>		
Account of Trading and Exploring Company, Ltd., for transportation of men from Hutchiku on the Yukon River, to Lake Labarge, in September, 1899.....	481 00	
<b>TELEGRAPH LINES.</b>		
Quesnel-Atlin section of main line and Port Simpson-Hazelton, and 150 Mile House—Quesnel Forks (Horse-fly) branches—Additional amount for construction.....	20,000 00	45,187 15
<b>PUBLIC WORKS.</b>		
<i>(Chargeable to Income.)</i>		
<b>PUBLIC BUILDINGS.</b>		
<i>Nova Scotia.</i>		
Arichat public building.....	\$ 4,800 00	
Gnysboro' public building.....	11,000 00	
Middleton armoury.....	8,400 00	
Sydney public building—Improvements.....	1,600 00	
	\$ 25,800 00	
<i>New Brunswick.</i>		
Marysville public building.....	2,700 00	
<i>Quebec.</i>		
Quebec military buildings—New iron foundry..	\$ 18,200 00	
Quebec military buildings—New artillery workshops.....	7,500 00	
Dominion public buildings—Renewals, repairs, etc.....	3,000 00	
Montnagny public building.....	2,800 00	
Montreal post office—Alterations and new fittings for customs postal parcel office.....	2,500 00	
	34,000 00	

SCHEDULE A—*Continued.*

SERVICE.	Amount.	Total.
PUBLIC WORKS— <i>Continued.</i>	\$ cts.	\$ cts.
(Chargeable to Income.)— <i>Continued.</i>		
PUBLIC BUILDINGS— <i>Continued.</i>		
Ontario.		
Deseronto public building.....\$	4,500 00	
Toronto post office—Building for branch office in west end of city (Station C).....	10,500 00	
Brockville drill hall.....	4,600 00	
Kingston Royal Military College.....	32,000 00	
Dominion public buildings—Renewals, repairs, etc.....	3,000 00	
St. Thomas armoury—Drainage, plumbing, sidewalks, etc.....	2,600 00	
Ottawa—For the completion of the bacteriological laboratory for the cattle quarantine branch of the Department of Agriculture...	6,000 00	
Toronto—Assistant Receiver General's office— Additional vault accommodation.....	1,500 00	
Ottawa public buildings—Electric lighting—For purchase of transformers installed in build- ings on Parliament Hill and the Langevin Block, inclusive of wiring in ducts, etc.....	11,000 00	
Ottawa post office and custom-house—Fitting up examining warehouse and putting in electric elevator; also alterations and improvements in post office.....	6,500 00	
	\$ 82,200 00	
Manitoba.		
Winnipeg immigration buildings—Isolation hos- pital.....	6,200 00	
North-west Territories.		
Carnduff—Court house.....\$	4,200 00	
Lethbridge immigrant building.....	1,543 00	
Macleod custom house—Damage by fire.....	1,300 00	
Dominion public buildings—Renewals, improve- ments, repairs, etc.....	2,000 00	
	9,043 00	
British Columbia.		
Vancouver public building—Improvements in post office, etc.—To complete payments...\$	1,250 00	
Dominion public buildings—Renewals, improve- ments, repairs, etc.....	4,000 00	
	5,250 00	
Public Buildings Generally.		
Salaries to resident clerks of works, assistants, etc.....	2,000 00	
Rents, Repairs, Furniture, Heating, etc.		
Toronto post office—Winton motor delivery wagon.....\$	1,285 00	
Ottawa public buildings—Major's Hill Park...	2,500 00	
" " Grounds.....	1,350 00	
Ottawa public buildings—Gas and electric light, including roads and bridges.....	2,500 00	
Ottawa public buildings—Removal of snow, in- cluding Rideau Hall.....	500 00	



SCHEDULE A—Continued.

SERVICE.	Amount.	Total.
<b>PUBLIC WORKS—Continued.</b>	\$ cts.	\$ cts.
(Chargeable to Income.)—Continued.		
<b>PUBLIC BUILDINGS—Concluded.</b>		
<i>Rents, Repairs, Furniture, Heating, etc.—Concluded.</i>		
Rents, Dominion public buildings.....	\$ 11,000 00	
Lighting " " .....	12,000 00	
Heating " " fuel, etc.....	11,000 00	
Halifax, N.S., immigration building—Water rates from October, 1896 to October, 1902...	1,109 00	
	<u>\$ 43,244 00</u>	210 437 00
<b>HARBOURS AND RIVERS.</b>		
<i>Nova Scotia.</i>		
Port Lorne breakwater—Repairs, etc.....	\$ 200 00	
Parker's Cove—Extension of pier.....	495 00	
Kempt Head wharf—To complete payments....	350 00	
	<u>\$ 1,045 00</u>	
<i>Prince Edward Island.</i>		
Canoe Cove—Construction of breakwater.....	750 00	
<i>New Brunswick.</i>		
St. Andrews—Repairs to wharf.....	\$ 850 00	
River St. John and tributaries—Amount due to local government, not to exceed one-half the first cost of wharfs built by them in tidal waters, 1895 to 1902.....	7,850 00	
	<u>8,700 00</u>	
<i>Quebec.</i>		
Cacouna—Extension of wharf.....	\$ 1,350 00	
Hull—Completion of wharf, including freight shed .....	3,200 00	
Ile Grosbois, opposite Boucherville—Dredging channel.....	5,151 00	
Les Ecureuils wharf—Improvements .....	750 00	
Rivière St. Maurice—Dredging eastern entrance channel.....	555 00	
St. Nicholas—Rebuilding and strengthening parts of pier damaged by ice.....	2,300 00	
Valleyfield—Dredging .....	2,400 00	
St. Laurent, Island of Orleans—Completion of wharf .....	7,300 00	
Doucet's Landing—Dredging on east side of wharf.....	1,700 00	
General repairs and improvements to harbour, river and bridge works .....	5,000 00	
Rivière du Nord—Dredging channel to St. Andrew's Landing.....	4,400 00	
St. Jérôme—Wharf on Lake St. John.....	420 00	
	<u>34,526 00</u>	
<i>Ontario.</i>		
Cobourg—Completion of repairs .....	\$ 2,000 00	
Hawkesbury—Dredging.....	2,500 00	
Midland—Dredging .....	16,000 00	
Port Elgin—To complete breakwater.....	1,500 00	

SCHEDULE A—*Continued.*

SERVICE.	Amount.	Total.
<b>PUBLIC WORKS—<i>Concluded.</i></b>	\$ cts.	\$ cts.
<i>(Chargeable to Income.)—Concluded.</i>		
<b>HARBOURS AND RIVERS—<i>Concluded.</i></b>		
<i>Ontario—Concluded.</i>		
River Thames—Dredging.....	\$ 305 00	
Scugog River—Dredging at Lindsay.....	305 00	
Thornbury—Dredging.....	6,500 00	
Toronto harbour—Repairs to piers and groynes, etc.....	1,200 00	
Warton—Dredging.....	1,200 00	
Bruce Mines—Dredging.....	5,200 00	
Kingston harbour—Dredging channel of ap- proach to Kingston and Pembroke Railway dock.....	4,000 00	
	\$ 40,710 00	
<i>British Columbia.</i>		
Hardy Bay—Wharf.....	\$ 2,100 00	
Salmon River—Removal of driftwood and other obstructions.....	3,000 00	
	5,100 00	
<i>Generally.</i>		
Harbours and rivers generally.....	5,000 00	
	95,831 00	
<b>DREDGING.</b>		
Manitoba.....	\$ 5,000 00	
British Columbia.....	6,000 00	
	11,000 00	
<b>TELEGRAPH LINES.</b>		
<i>Quebec.</i>		
Magdalen Islands—Bryon Island and Anticosti Island cable connection, etc.—balance due on cable.....	\$36,782 00	
Telegraph lines north shore St. Lawrence ..	12,041 57	
Magdalen Islands—Cable between Amherst and Grindstone Island.....	3,789 84	
	\$ 52,613 41	
<i>Ontario.</i>		
Peelee Island to mainland.....	3,500 00	
<i>North-west Territories.</i>		
Extension of St. Albert—Rivière qui Barre tele- phone line to Alexander Indian Agency, the poles to be supplied by the settlers.....	500 00	
<i>British Columbia.</i>		
Alberni—Clayoquot line—To complete payments.....	1,050 00	
<i>Land and Cable lines, Gulf of St. Lawrence, etc.</i>		
Compassionate allowance to Théodore Bouchard, captain and owner of the schooner <i>White</i> <i>Cloud</i> .....	347 08	
	58,010 49	
		375,278 49

## SCHEDULE A—Continued.

SERVICE.	Amount.	Total.
<b>MAIL SUBSIDIES AND STEAMSHIP SUBVENTIONS.</b>	\$ cts.	\$ cts.
Steamship service between Canada and South African ports.....	109,500 00	
Legal expenses incurred in England in connection with the execution of the contract for steamship service between Canada and South African ports.....	373 40	
Additional to statutory provisions for services between Canada and Australia.....	28,388 88	
Additional for service between Canada and Great Britain.....	22,083 33	
Weekly service from January 1 to June 30, 1903, between Halifax and Canso.....	2,000 00	
Services of the steamer <i>Lord Strathcona</i> and wrecking plant on the St. Lawrence for the year ending June 30, 1903.....	10,000 00	172,345 61
<b>FISHERIES.</b>		
Customs and other officers, for services in compiling and forwarding daily reports in connection with the Fisheries Intelligence Bureau for the season of 1902.....	270 00	
Construction of new steamers in British Columbia—Further amount....	9,000 00	
Canadian Fishery Exhibit—Further amount.....	1,860 00	
Collectors of Customs, for services in connection with the issuing of fishing licenses to United States fishing vessels during 1902, equal to 5 per cent of the collections.....	505 72	
Widow of the late Captain James Rood, sailing master of the cruiser <i>Acadia</i> , gratuity.....	500 00	12,075 72
<b>COLLECTION OF REVENUE.</b>		
<b>CUSTOMS.</b>		
Salaries and contingent expenses of the several ports in the various provinces and in the North-west Territories—Additional amount.....	\$ 42,500 00	
Inspection of ports, Board of Customs, Customs laboratory and statistics—Additional amount.....	2,500 00	
Yukon Territory—Additional amount.....	5,000 00	50,000 00
<b>EXCISE.</b>		
Travelling expenses, rent, fuel, stationery, etc.—Additional amount.....	\$ 3,000 00	
To reimburse E. Forrest, cashier of the Montreal Inland Revenue office, for moneys abstracted from his cash drawer, and which he was called upon to make good.....	85 00	
Stamps for imported and Canadian tobacco.....	4,000 00	
Duty-pay to officers at large distilleries and other factories..	400 00	7,485 00
<b>WEIGHTS AND MEASURES, GAS AND ELECTRIC LIGHT INSPECTION.</b>		
Assistant inspector M. J. Kelly of the Quebec district, amount withheld by Inspector Bourassa.....	\$ 159 90	
To partially compensate A. Guay for the loss of a horse while engaged by Asst. Inspector Mayer on Weights and Measures business.....	30 00	
Salaries of Electric Light Inspectors—Further amount.....	800 00	989 90
<b>ADULTERATION ACT.</b>		
J. M. Ferguson, barrister, of Montreal, for professional services in connection with the preparation and drafting of the Act 61 Vict., c. 24..	100 00	

SCHEDULE A—*Concluded.*

SERVICE.	Amount.	Total.
COLLECTION OF REVENUE— <i>Concluded.</i>	\$ cts.	\$ cts.
PUBLIC WORKS.		
Esquimalt graving dock—Special constables.....	1,825 00	
POST OFFICE.		
Arrears of salaries due certain city postmasters and assistant postmasters accrued during the period beginning June 1, 1881.....	\$ 15,765 85	
British American Bank Note Company for stamps, post cards, etc., supplied between August, 1897, and February, 1898, with interest thereon at 3 per cent. ....	11,126 80	
Canada's share of the service established on July 1, 1902, between Dawson and Eagle City .....	8,000 00	
Additional services between White Horse and Dawson during the winter season of 1902-3 .....	8,000 00	
	42,892 65	103,292 55
Total .....		708,179 52



## SCHEDULE B.

Sums granted to His Majesty by this Act for the financial year ending  
30th June, 1904, and the purposes for which they are granted.

SERVICE.	Amount.	Total.
<b>CHARGES OF MANAGEMENT.</b>		
	\$ cts.	\$ cts.
Office of the Assistant Receiver General—Toronto .....	1,420 00	
" " " Montreal.....	1,130 00	
" " " Halifax.....	1,520 00	
" " " St. John.....	1,340 00	
" " " Winnipeg. . .	1,200 00	
" " " Victoria.....	890 00	
" " " Charlottetown .....	960 00	
Country savings banks—		
Salaries .....	1,160 00	
Contingencies.....	250 00	
Commission for payment of interest on public debt, purchase of sinking funds and transfer of stock .....	6,838 76	
Brokerage on purchase of sinking funds .....	1,320 00	
Expenses in connection with the issue and redemption of Dominion notes.	2,000 00	
Printing of Dominion notes .....	16,000 00	
English bill stamps, postage, etc.....	2,120 00	
Printing, advertising, inspection, expressage and miscellaneous charges, including commutation of stamp duty.....	2,880 00	
		41,028 76
<b>CIVIL GOVERNMENT.</b>		
Governor General's Secretary's Office, salaries.....	\$ 10,900 00	
Contingencies.....	15,100 00	
		26,000 00
King's Privy Council Office, salaries.....	\$ 31,875 00	
Contingencies.....	9,300 00	
		41,175 00
Department of Justice, salaries, including one junior second class clerk at \$800, and allowance to the private secretary of the Solicitor General, notwithstanding anything in the Civil Service Act.....	\$ 35,390 00	
Contingencies.....	12,270 00	
		47,660 00
Department of Militia and Defence, salaries, including A. O. Lambert at \$800, notwithstanding anything in the Civil Service Act.....	\$ 46,300 00	
Contingencies.....	10,000 00	
		56,300 00
Department of the Secretary of State, salaries, including F. M. Baker from \$900 to \$1,000, notwithstanding anything in the Civil Service Act.....	\$ 39,090 00	
Contingencies.....	8,850 00	
		47,940 00
Department of Public Printing and Stationery, salaries, including J. Foran at \$800, notwithstanding anything in the Civil Service Act.....	\$ 33,840 00	
Contingencies.....	7,000 00	
		40,840 00

SCHEDULE B—*Continued.*

SERVICE.	Amount.	Total.
<b>CIVIL GOVERNMENT—Continued.</b>		
	\$ cts.	\$ cts.
Department of the Interior, salaries, including E. Deville at \$2,800, W. F. King at \$2,500, and Otto J. Klotz at \$2,300, notwithstanding anything in the Civil Service Act.....	\$119,029 00	
Contingencies, including J. D. Bollard at \$850, and F. W. Hodgins at \$545, notwithstanding anything in the Civil Service Act.....	25,142 50	
	144,171 50	
Office of the Comptroller of the North-west Mounted Police, salaries.....	\$ 11,650 00	
Contingencies, notwithstanding anything in the Civil Service Act.....	900 00	
	12,550 00	
Department of Indian Affairs, salaries, including D.C.Scott, at \$2,200, notwithstanding anything in the Civil Service Act.....	\$ 56,695 00	
Contingencies.....	9,915 00	
	66,610 00	
Office of the Auditor General, salaries.....	\$ 33,562 50	
Contingencies.....	10,000 00	
	43,562 50	
Department of Finance and Treasury Board, salaries. The salaries of the staff of the department may be readjusted and appointments made notwithstanding anything in the Civil Service Act.....	\$ 52,340 00	
Contingencies, notwithstanding anything in the Civil Service Act.....	8,510 00	
	60,850 00	
Department of Customs, salaries.....	\$ 45,000 00	
Contingencies, of which \$1,750 may be paid notwithstanding anything in the Civil Service Act.....	10,355 00	
	55,355 00	
Department of Inland Revenue, salaries.....	\$ 37,460 00	
Contingencies.....	7,000 00	
	44,460 00	
Department of Agriculture, salaries.....	\$ 66,152 50	
Contingencies, including payment up to \$800 each per annum to three assistant patent examiners, notwithstanding anything in the Civil Service Act.....	17,750 00	
	83,902 50	
Department of Marine and Fisheries, salaries, including R. E. Tyrwhitt at \$950 and L. Bance at \$1,400, notwithstanding anything in the Civil Service Act.....	\$ 67,050 00	
Contingencies, including L. Charbonneau at \$500, notwithstanding anything in the Civil Service Act.....	12,000 00	
	79,050 00	
Department of Railways and Canals, salaries, including J. W. Pugsley at \$1,800, notwithstanding anything in the Civil Service Act.....	\$ 45,950 00	
Contingencies.....	8,000 00	
	53,950 00	
Department of Public Works, salaries.....	\$ 47,550 00	
Contingencies.....	10,600 00	
	57,550 00	
Department of the Geological Survey, salaries.....		10,980 00
Post Office Department, salaries.....	\$ 44,896 00	
Contingencies, including \$50 to W. Cooch for the technical work of inspecting letter carriers' boots and \$120 to E. L. Foley, a provisional allowance, notwithstanding anything in the Civil Service Act.....	13,114 00	
	58,010 00	
Department of Trade and Commerce, salaries, including Mrs. S. E. Cox at \$650, notwithstanding anything in the Civil Service Act.....	\$ 2,560 00	
Contingencies, notwithstanding anything in the Civil Service Act.....	1,400 00	
	3,960 00	

## SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
<b>CIVIL GOVERNMENT—Concluded.</b>	\$ cts.	\$ cts.
Department of Labour, salaries, the whole or any portion of which may be paid, notwithstanding anything in the Civil Service Act. ....	\$ 3,060 00	
Contingencies, notwithstanding anything in the Civil Service Act. ....	250 00	
	3,310 00	
High Commissioner's Office, London, salaries. ....	\$ 1,810 00	
Contingencies. ....	3,680 00	
	5,490 00	
Departments generally, contingencies, care and cleaning of departmental buildings, including \$100 for firing gun at noon, which amount may be paid to a member of the civil service, notwithstanding anything in the Civil Service Act. ....		5,800 00
Salaries of examiners and other expenses under the Civil Service Act, including \$250 for the secretary and \$100 for a clerk, which amount may be paid to any members of the civil service, notwithstanding anything in the Civil Service Act. ....		500 00
		1,049,976 50
<b>ADMINISTRATION OF JUSTICE.</b>		
<b>MISCELLANEOUS.</b>		
Miscellaneous expenditure, including North-west Territories. \$	37,000 00	
Travelling allowances and expenses of judges in Manitoba ..	3,000 00	
Travelling allowances and expenses of judges in British Columbia. ....	13,000 00	
Travelling allowances and expenses of judges in North-west Territories ..	3,000 00	
Travelling allowances of judges holding weekly sittings of High Court of Justice at London and Ottawa. ....	1,500 00	
Salary of judge of Divorce and Matrimonial Court, New Brunswick. ....	500 00	
Expenditure under R.S.C., c. 181. ....	700 00	
Office for clerk of the court and judge's chambers, Prince Albert. ....	260 00	
Rent of court room and sheriff's office at Prince Albert. ....	250 00	
Allowances to <i>ad hoc</i> judges. ....	200 00	
	59,410 00	
<b>SUPREME COURT OF CANADA.</b>		
Reporter .....	\$ 2,100 00	
Assistant Reporter, 1st class clerk. ....	1,650 00	
Clerk in office of Registrar, 2nd class. ....	1,350 00	
" " junior 2nd class. ....	950 00	
Librarian. ....	1,300 00	
2nd class clerk. ....	1,200 00	
Assistant librarian. ....	1,000 00	
2 messengers at \$590 .....	1,180 00	
Contingencies and disbursements, salaries of officers (sheriff, registrar as editor and publisher of reports, usher, etc.), books for judges, not exceeding \$300; and salary for messenger, \$330. ....	5,030 00	
Printing, binding and distributing Supreme Court Reports. ..	3,000 00	
Law books and works of reference for the library. ....	4,500 00	
	23,260 00	
<b>EXCHEQUER COURT OF CANADA.</b>		
1st class clerk. ....	\$ 1,750 00	
Junior 2nd class clerk. ....	1,000 00	
Junior 2nd class clerk, Duncan Clark, notwithstanding anything in the Civil Service Act. ....	900 00	
Messenger. ....	590 00	

SCHEDULE B—*Continued.*

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
<b>ADMINISTRATION OF JUSTICE—<i>Concluded.</i></b>		
<b>EXCHEQUER COURT OF CANADA—<i>Concluded.</i></b>		
Contingencies: judge's and registrar's travelling expenses, salaries of sheriffs, etc., printing and stationery, etc., and \$50 for judge's books . . . . .	\$ 4,000 00	
Printing, binding and distributing Exchequer Court Reports	800 00	
Additional to registrar as editor and publisher of Exchequer Court Reports . . . . .	300 00	
Charles Morse, for furnishing reports of Exchequer Court decisions to legal periodicals, notwithstanding anything in the Civil Service Act. . . . .	50 00	
Salary of Registrar in Admiralty, Quebec . . . . .	666 66	
" Marshal " . . . . .	333 34	
Accommodation when necessary for Exchequer Court in Admiralty . . . . .	300 00	
Travelling allowance for local judges and other officers . . . . .	300 00	
	10,990 00	
<b>YUKON TERRITORY.</b>		
Travelling allowances of judges . . . . .	\$ 1,500 00	
Salaries of sheriff and clerk of Territorial Court at \$4,000 each	8,000 00	
Salaries of deputy sheriff and two assistant clerks of Territorial Court at \$1,800 each . . . . .	5,400 00	
Salaries of two stenographers of Territorial Court at \$2,000 each . . . . .	4,000 00	
Living allowances of judges at \$5,000 each . . . . .	15,000 00	
" sheriff, deputy sheriff, clerk of court assistant clerks, police magistrate, and stenographers of Territorial Court at \$1,800 each . . . . .	14,400 00	
Maintenance of prisoners . . . . .	30,000 00	
Transport of prisoners . . . . .	5,000 00	
Fees and expenses of witnesses, jurors and interpreters in criminal trials. . . . .	15,000 00	
Law books, etc., and freight thereon, for the use of the Bench and Bar, and stationery and freight thereon, for use of courts . . . . .	2,500 00	
Miscellaneous expenses, including fees and expenses of Crown prosecutor, salary and living allowance of stenographer for police court, and other officials or employees connected with the administration of justice, coroners' inquests, etc. . . . .	25,000 00	
	125,800 00	
		219,460 00
<b>DOMINION POLICE.</b>		
Dominion Police, including 1 junior 2nd class clerk, A. J. Cawdron, at \$700, notwithstanding anything in the Civil Service Act. . . . .		30,000 00
<b>PENITENTIARIES.</b>		
General . . . . .	7,820 00	
Kingston . . . . .	178,600 00	
St. Vincent de Paul . . . . .	110,300 00	
Dorchester . . . . .	56,500 00	
Manitoba . . . . .	50,100 00	
British Columbia . . . . .	52,300 00	
Regina jail . . . . .	11,300 00	
Prince Albert jail . . . . .	7,500 00	
		474,420 00



## SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
LEGISLATION.	\$ cts.	\$ cts.
SENATE.		
Salaries and contingent expenses.....	74,726 00	
HOUSE OF COMMONS.		
Salary of the Deputy Speaker.....\$ 2,000 00		
Salaries.....69,200 00		
Expenses of committees, sessional and extra clerks, etc.....25,780 00		
Contingencies, including \$600 for clerical assistance for the		
Leader of the Opposition.....25,500 00		
Publishing debates.....60,000 00		
Estimates of the Serjeant-at-Arms.....40,302 50		
	222,782 50	
LIBRARY OF PARLIAMENT.		
Salaries.....\$ 17,462 50		
Books for the general library, including binding, etc.....12,000 00		
Books for the library of American history.....1,000 00		
Contingencies.....2,600 00		
	33,062 50	
GENERAL.		
Printing, binding and distributing the laws.....\$ 7,000 00		
Printing, printing paper and binding.....125,000 00		
Contingent expenses in connection with voters' lists.....20,000 00		
Provincial voters' lists.....8,000 00		
Contingencies of the Clerk of the Crown in Chancery.....3,000 00		
	163,000 00	
ARTS, AGRICULTURE AND STATISTICS.		493,571 00
Archives.....9,000 00		
Patent Record.....12,000 00		
Collection and compilation of criminal statistics (R.S.C., c. 60).....1,800 00		
Statistical Year Book.....5,000 00		
General statistics.....3,200 00		
Aid to agricultural societies.....7,000 00		
Experimental farms.....90,000 00		
Printing and distribution of reports and bulletins of farms.....7,000 00		
Classifying all Canadian patents, and preparing drawings thereof for classification, to be paid notwithstanding anything in the Civil Service Act.....2,500 00		
Census.....7,000 00		
Fumigating stations.....3,500 00		
Exhibitions.....150,000 00		
Renewing and improving Canadian exhibit at Imperial Institute, London		
Branch of the Commissioner of Agriculture and Dairying, including live stock, dairy, cold storage, extension of markets, poultry, seed and fruit divisions; employees paid from this sum not to be subject to the Civil Service Act.....220,000 00		
To promote dairying interests by advances for milk and cream, to be recouped out of the proceeds of sales of such butter and cheese, to be placed to the credit of the Consolidated Revenue Fund.....40,000 00		
		561,000 00
QUARANTINE.		
Salaries and contingencies of organized districts and public health in other districts.....170,220 00		
Tracadie lazaretto.....5,500 00		
Public Works Health Act.....4,000 00		
Winnipeg and St. Boniface hospitals.....4,000 00		
Cattle quarantines and veterinary division.....100,000 00		
		283,720 00

SCHEDULE B—*Continued.*

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
IMMIGRATION.		
Salaries of agents and employees in Canada, Great Britain and foreign countries.....	22,000 00	
Contingencies in Canadian, British and foreign agencies and general immigration expenses, including salaries of extra clerks at head office...	96,600 00	
Women's National Immigration Society, Montreal..	200 00	
Girl's Home of Welcome, Winnipeg..	200 00	
		119,000 00
PENSIONS.		
Mrs. Delaney.....	80 00	
Miss Harriet Fraser.....	50 00	
Account of the Fenian raid.....	480 00	
Compensation to pensioners in lieu of land.....	23 35	
Militiamen on account of the rebellion of 1885, and active services generally.....	3,800 00	
Mounted Police, Prince Albert Volunteers and Police Scouts on account of the rebellion of 1885.....	2,400 53	
Mrs. Grundy and children.....	109 50	
Mrs. Colebrooke and child.....	182 50	
		7,125 88
SUPERANNUATION.		
Extra allowance to Mr. Wallace, ex-postmaster at Victoria, B.C.....		48 00
MILITIA.		
<i>(Chargeable to Income.)</i>		
Pay and allowances.....	391,405 00	
Annual drill and musketry.....	520,000 00	
Salaries and wages.....	50,000 00	
Pay and allowances.....	45,000 00	
Military properties.....	190,000 00	
Provisions, supplies and remounts.....	130,000 00	
Transport and freight.....	40,000 00	
Grants to associations.....	38,000 00	
Contingencies.....	22,000 00	
Royal Military College.....	75,000 00	
Dominion arsenal.....	30,000 00	
Defences of Esquimalt.....	114,703 00	
		1,646,108 00
RAILWAYS AND CANALS.		
<i>(Chargeable to Capital.)</i>		
RAILWAYS.		
<i>Intercolonial.</i>		
To increase accommodation at Sydney.....	\$ 19,400 00	
Original construction .....	400 00	
To strengthen bridges.....	33,020 00	
To increase accommodation at Lévis.....	14,400 00	
Air brakes to freight cars.....	5,000 00	
To exchange drawbars of freight cars.....	9,200 00	
New machinery for locomotive and car shops...	1,600 00	
To equip 10 passenger cars with Pintsch gas apparatus.....	1,600 00	
Rolling stock .....	127,400 00	
Increased accommodation at Stellarton.....	6,400 00	
New superstructure for Restigouche bridge.....	24,600 00	
New superstructure for North-west Miramichi bridge.....	18,000 00	

## SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
RAILWAYS AND CANALS—Continued.	\$ cts.	\$ cts.
(Chargeable to Capital.)—Continued.		
RAILWAYS—Concluded.		
Intercolonial—Concluded.		
Improvements at Point Tupper.....	\$ 5,000 00	
Yard for freight business at Rivière du Loup...	2,000 00	
To change air brakes of passenger cars to quick action brakes and apply air signals.....	400 00	
To extend freight car repair shop at Moncton...	5,500 00	
Engine house, machine shop, car shop, stores, office at Rivière du Loup.....	10,000 00	
Engine house, etc., at Chaudière Junction.....	10,000 00	
Increased accommodation at St. John.....	21,200 00	
To increase accommodation at Halifax.....	20,900 00	
Increased accommodation at Pictou.....	7,300 00	
Improvements at North Sydney.....	2,600 00	
Building a spur line of railway from I. C. R. sta- tion at Rivière Ouelle to the wharf on the St. Lawrence.....	5,400 00	
To increase accommodation at Moncton.....	17,800 00	
To equip passenger cars with vestibules.....	2,000 00	
Dwelling for agent at Eel River.....	360 00	
Increased accommodation at Amqui.....	1,000 00	
Increased accommodation at Ste. Flavie.....	19,000 00	
Towards improving ferry service at Strait of Canso.....	2,200 00	
Improvements at Nicolet.....	400 00	
Increased accommodation at Truro.....	15,000 00	
Improvements at Little Metis station and divert- ing public road.....	800 00	
To purchase power saw for sawing rails, etc....	230 00	
To increase water supply.....	800 00	
	\$410,910 00	
Prince Edward Island.		
To widen wharf and provide coal shed at Sum- merside.....	\$ 400 00	
Murray Harbour branch and Hillsboro bridge..	150,000 00	
To increase accommodation at Kensington.....	200 00	
To increase accommodation at Hunter River....	200 00	
To straighten line at Curtes' Creek.....	3,000 00	
Baggage room at Souris.....	80 00	
To improve the water service.....	4,800 00	
To apply Westinghouse air brakes and air signals	4,320 00	
Additional accommodation at Kinkour.....	160 00	
New station at Northam and Richmond.....	200 00	
	163,360 00	
CANALS.		574,270 00
Cornwall—Enlargement.....	16,000 00	
Farran's Point—Enlargement.....	2,400 00	
Rapide Plat—Enlargement.....	5,000 00	
Galops—Enlargement.....	25,600 00	
St. Lawrence River and Canals—Surveys, lifting boulders, etc.	7,000 00	
Welland—Electric lighting plant.....	11,000 00	
To remove obstructions and make other improvements..	43,400 00	
Improvements at Port Colborne entrance.....	60,000 00	
To deepen portion of summit level between Port Colborne and Thorold.....	10,000 00	
Trent—Construction.....	90,000 00	
Lachine—Enlargement and improvements pontoon gates....	29,200 00	
Slope walls.....	4,400 00	

SCHEDULE B—*Continued.*

SERVICE.	Amount.	Total.
RAILWAYS AND CANALS— <i>Continued.</i>	\$ cts.	\$ cts
(Chargeable to Capital.)—Concluded.		
CANALS— <i>Concluded.</i>		
Lake St. Louis—Hydrographic survey, sweeping channel, removing boulders, etc . . . . .	\$ 1,720 00	
Sault Ste. Marie—Construction . . . . .	18,600 00	
Soulanges—Construction and equipment . . . . .	2,000 00	
	326,520 00	900,790 00
RAILWAYS AND CANALS.		
(Chargeable to Income.)		
CANALS.		
<i>Rideau.</i>		
To rebuild swing bridge across the upper lock at Hog's Back (steel span) . . . . .	\$ 500 00	
To rebuild lock-master's house at Kingston Mills . . . . .	320 00	
	\$ 820 00	
<i>Welland.</i>		
Stone protection to banks of old canal . . . . .	\$ 1,000 00	
To change valves and hanging gear of new canal lock gates . . . . .	3,000 00	
To remodel gate yard and repair shops at Port Dalhousie . . . . .	1,000 00	
To survey and delimit Government lands along canal . . . . .	400 00	
To improve drainage along feeder . . . . .	300 00	
	5,700 00	
<i>Lachine.</i>		
To renew masonry wall, basin No. 2 . . . . .	\$ 1,400 00	
Repairs to old locks Nos. 1 and 2 . . . . .	20,000 00	
	21,400 00	
<i>Chambly.</i>		
Electric station and by-wash, Ste. Thérèse . . . . .	\$ 1,200 00	
Macadamizing towpath . . . . .	1,500 00	
Land damages . . . . .	100 00	
	2,800 00	
<i>St. Ours Lock.</i>		
Stop logs . . . . .	\$ 200 00	
Landing wharfs . . . . .	320 00	
	520 00	
<i>Carillon and Grenville.</i>		
Guide pier . . . . .	4,600 00	
<i>Trent.</i>		
To build a new entrance pier at Peterboro . . . . .	\$ 400 00	
To build entrance pier at Burleigh . . . . .	300 00	
	700 00	



## SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
RAILWAYS AND CANALS—Concluded.	\$ cts.	\$ cts.
(Chargeable to Income.)—Concluded.		
CANALS—Concluded.		
Trent—Concluded.		
To build entrance pier at Lovesick . . . . .	\$ 300 00	
To dredge shoals between Peterboro' and Heeley's Falls . . . . .	700 00	
To dredge shoals Ketchawana and Buckhorn Lake . . . . .	700 00	
Rebuilding dam at Peterboro' . . . . .	1,200 00	
	<u>\$ 2,900 00</u>	
St. Peters.		
To renew works and perform dredging . . . . .	200 00	
	<u>39,640 00</u>	
MISCELLANEOUS.		
Miscellaneous works not provided for . . . . .	\$ 1,000 00	
Arbitrations and awards . . . . .	800 00	
Surveys and inspection—Canals . . . . .	600 00	
" " Railways . . . . .	3,600 00	
Railway statistics, including clerical assistance, notwithstanding anything in the Civil Service Act . . . . .	500 00	
Salaries of extra clerks, copyists and messengers, other than those who have passed the Civil Service examination, notwithstanding anything in the Civil Service Act . . . . .	600 00	
Salaries of engineers, draughtsmen, extra clerks and messengers notwithstanding anything in the Civil Service Act . . . . .	5,800 00	
Reporting before the Railway Committee of the Privy Council and before the Minister . . . . .	100 00	
Cost of litigation in connection with railways and canals . . . . .	1,200 00	
Subscription to International Railway Congress at Brussels . . . . .	19 46	
Governor General's car, repairs and alterations . . . . .	400 00	
	<u>14,619 46</u>	
		54,259 46
PUBLIC WORKS.		
(Chargeable to Capital.)		
PUBLIC BUILDINGS.		
Ontario.		
Ottawa—Astronomical observatory . . . . .	\$45,000 00	
Branch of Royal Mint . . . . .	50,000 00	
Parliament building—Additional accommodation in attic, and improvements in ventilation and main vestibule . . . . .	10,000 00	
Victoria Memorial Museum . . . . .	50,000 00	
	<u>155,000 00</u>	
HARBOURS AND RIVERS.		
Quebec.		
River St. Lawrence ship channel . . . . .	\$515,800 00	
Quebec harbour improvements . . . . .	100,000 00	
	<u>\$ 615,800 00</u>	
Ontario.		
Port Arthur—Dredging . . . . .	\$ 50,000 00	
River Kaministiquia—Dredging . . . . .	35,000 00	
	<u>85,000 00</u>	

SCHEDULE B—*Continued*

SERVICE.	Amount.	Total.
<b>PUBLIC WORKS—Continued.</b>	\$ cts.	\$ cts.
<i>(Chargeable to Capital.)—Concluded.</i>		
<b>HARBOURS AND RIVERS—Concluded.</b>		
<i>Manitoba.</i>		
St. Andrew's Rapids improvements, Red River.....	\$ 100,000 00	
	800,800 00	
<b>TRANSPORTATION FACILITIES.</b>		
Montreal harbour (lower division)—Improvements below		
St. Mary's Current.....	\$243,000 00	
Port Colborne—Harbour improvements.....	142,000 00	
	385,000 00	1,340,800 00
<b>PUBLIC WORKS.</b>		
<i>(Chargeable to Income.)</i>		
<b>PUBLIC BUILDINGS.</b>		
<i>Nova Scotia.</i>		
Halifax—New public building.....	\$ 60,000 00	
Quarantine station, Lawlor's Island.....	1,500 00	
	\$ 61,500 00	
<i>New Brunswick.</i>		
Richibucto—Public building.....	\$ 10,000 00	
St. John—Immigrant building.....	12,000 00	
" quarantine station—Water service,		
drainage, heating, etc.....	8,000 00	
" Dominion buildings.....	3,000 00	
	33,000 00	
<i>Maritime Provinces.</i>		
Dominion public buildings—Renewals, improvements, re-		
pairs, etc. ....	12,000 00	
<i>Quebec.</i>		
Dominion public buildings—Renewals, improve-		
ments, repairs, etc.....	\$ 12,000 00	
Grosse Isle—Quarantine station.....	12,000 00	
L'Assomption—Public building.....	10,000 00	
Lévis—Public building.....	5,000 00	
Montreal examining warehouse—Addition and		
alterations, including fittings, furniture, etc.	15,000 00	
Montreal public buildings—Improvements, alter-		
ations, repairs, etc.....	8,000 00	
Quebec immigrant buildings on Louise embank-		
ment and breakwater and King's wharf		
buildings.....	2,000 00	
Quebec post office—Renewals, improvements, re-		
pairs, etc.....	2,000 00	
St. Hyacinthe—Public building—Addition to, etc	12,000 00	
Thetford Mines—Public building.....	8,000 00	
Three Rivers—Customs-house—Retaining wall.	2,500 00	
Valleyfield—Public building.....	15,000 00	
	103,500 00	

## SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
<b>PUBLIC WORKS—Continued.</b>	\$ cts.	\$ cts
<i>(Chargeable to Income.)—Continued.</i>		
<b>PUBLIC BUILDINGS—Continued.</b>		
<i>Ontario.</i>		
Alexandria—Public building.....	\$ 10,000 00	
Bowmanville—Public building.....	10,000 00	
Clinton—Post office .....	8,000 00	
Cobourg—Towards construction of armoury....	15,000 00	
Dominion public buildings—Renewals, improve- ments, repairs, etc.....	12,000 00	
Fort William—Public building.....	22,300 00	
Guelph—Public building—Addition to.....	21,000 00	
Kingston military buildings—Stable accommoda- tion for Field Battery.....	5,000 00	
London drill hall and armoury. ....	60,000 00	
Rideau Hall—Drain from Government House to city sewer, including cost of drainage area, etc.....	3,000 00	
Toronto custom-house—Under-pinning walls....	10,000 00	
Toronto Dominion public buildings—Improve- ments, renewals, repairs, etc.....	8,000 00	
Toronto post office—Alterations and additions, including elevator and fittings.....	23,509 00	
Toronto Junction—Public building.....	15,000 00	
	<u>\$222,800 00</u>	
<i>Manitoba.</i>		
Dominion public buildings—Renewals, improve- ments, repairs, etc.....	5,000 00	
<i>North-west Territories.</i>		
Court-house, lock-up and police accommodation.\$	1,500 00	
Dominion public buildings—Renewals, improve- ments, repairs, etc.....	5,000 00	
Macleod court-house.....	10,000 00	
Red Deer—Court-house, lock-up etc. and land office	10,000 00	
Yorkton court house and jail .....	5,500 00	
	<u>32,000 00</u>	
<i>British Columbia.</i>		
Dominion public buildings—renewals, improve- ments, repairs, etc.....	6,000 00	
<i>Public Buildings Generally.</i>		
Public buildings generally.....	\$ 5,000 00	
Salaries to resident clerks of works, etc.....	10,500 00	
Construction of armouries. ....	9,000 00	
Experimental farms—New buildings and re- newals, repairs, etc., in connection with ex- isting buildings, fences, etc.....	10,000 00	
	<u>34,500 00</u>	
<i>Rents, Repairs, Furniture, Heating.</i>		
Ottawa public buildings, including repairs, ven- tilation and lighting, furniture, etc.....	\$125,000 00	
Rents—Dominion public buildings.....	33,500 00	
Rideau Hall, including grounds, renewals, im- provements, furniture, and maintenance....	17,000 00	

## SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
<b>PUBLIC WORKS—Continued.</b>	\$ cts.	\$ cts.
<i>(Chargeable to Income.)—Continued.</i>		
<b>PUBLIC BUILDINGS—Concluded.</b>		
<i>Rents, Repairs, Furniture, Heating.—Concluded.</i>		
Rideau Hall—Allowance for fuel and light.....\$ 8,000 00		
Furniture—Dominion public buildings..... 12,000 00		
Dominion immigration buildings—Repairs, furniture, etc. .... 4,500 00		
Dominion quarantine stations—Maintenance etc. 4,000 00		
Ottawa public buildings—Heating, including salaries of engineers, firemen and watchmen. 67,000 00		
Ottawa public buildings—Elevator attendants.. 9,000 00		
Ottawa public buildings—Gas and electric light, including roads and bridges ..... 24,000 00		
Ottawa public buildings—Telephone service.... 7,000 00		
" " Grounds..... 8,000 00		
" " Major's Hill Park.... 5,500 00		
" " Removal of snow, including Rideau Hall. 2,500 00		
Salaries of engineers, firemen, caretakers, etc., Dominion public buildings. .... 99,000 00		
Supplies for engineers, firemen, caretakers of public buildings. .... 7,000 00		
Heating Dominion public buildings—Fuel, etc.. 60,000 00		
Lighting Dominion public buildings..... 75,000 00		
Water—Dominion public buildings..... 16,000 00		
Electric and other power for running elevators, stamp cancelling machines, etc., Dominion public buildings. .... 8,000 00		
	\$ 592,000 00	1,102,300 00
<b>HARBOURS AND RIVERS.</b>		
<i>Nova Scotia.</i>		
Amagandus—Wharf .....\$ 2,000 00		
Arisaig—Repairs to pier..... 2,500 00		
Bailey's Brook—Breakwater wharf..... 3,000 00		
Big Pond—Wharf..... 3,100 00		
Bridgewater—Dredging. .... 5,000 00		
Cheverie—Breakwater extension..... 1,600 00		
Church Point—Repairs to breakwater..... 3,000 00		
Cow Bay (Port Morien)—Repairs to breakwater 25,000 00		
Digby pier—Renewals and repairs. .... 2,000 00		
Drumhead—Breakwater..... 4,500 00		
Economy—Wharf extension, etc..... 2,500 00		
Fort Lawrence—Landing pier. .... 5,000 00		
Friar's Head—Boat harbour..... 500 00		
Glace Bay—Harbour improvements. .... 10,000 00		
Grand River—To improve entrance..... 1,000 00		
Grand Narrows—Repairs to wharf..... 400 00		
Grand Etang—Bridge works at entrance to pond 1,000 00		
Green Cove—Boat harbour..... 6,600 00		
Hawk Point Inlet—Boat channel..... 1,000 00		
Herring Cove—Breakwater..... 9,800 00		
Island Point—Repairs to wharf..... 1,400 00		
Janvrin's Island—Wharf..... 2,000 00		
Judique—Repairs, etc., to breakwater..... 400 00		
Kingsport—Reconstruction of pier..... 3,000 00		
Larry's River—Breakwater... 14,250 00		
Lingan—Beach protection ..... 1,000 00		
Lunenburg—Dredging harbour..... 5,000 00		



## SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
<b>PUBLIC WORKS—Continued.</b>	<b>\$ cts.</b>	<b>\$ cts.</b>
(Chargeable to Income.)—Continued.		
<b>HARBOURS AND RIVERS—Continued.</b>		
<i>Nova Scotia—Concluded.</i>		
Malignant Cove—To raise inner end of channel protection pier and clean out channel. . . . \$	500 00	
Margaree harbour—Improvements . . . . .	800 00	
Meteghan (Cove)—Restoration of breakwater. . .	2,300 00	
Necum Tench—Wharf . . . . .	3,000 00	
Neil's Harbour—Breakwater. . . . .	4,000 00	
New Campbellton—Ballast wharf in Kelly's Cove. . . . .	5,000 00	
New Harbour—Breakwater, repairs, protection slopes, etc. . . . .	1,500 00	
Ogden's Pond—To complete channel protection works . . . . .	650 00	
Petit de Grat—Reconstruction of protection work and dredging . . . . .	5,000 00	
Poirierville (Lower d'Escousse) wharf. . . . .	3,500 00	
Port George—Breakwater. . . . .	3,500 00	
Port Hastings—Wharf . . . . .	4,000 00	
Port Hawkesbury—Wharf. . . . .	8,200 00	
Sandy Cove—Breakwater. . . . .	13,200 00	
Short Beach—Breakwater. . . . .	8,000 00	
South Ingonish—Wharf. . . . .	1,800 00	
Three Fathom harbour—Restoration of beach protection works . . . . .	1,200 00	
Tiverton—Breakwater. . . . .	17,000 00	
Washabuck Centre—Wharf. . . . .	5,500 00	
West Baccaro—Boat harbour protection and channel. . . . .	3,500 00	
Western Head—Extension of breakwater. . . .	5,000 00	
Whitehaven—Repairs to canal banks . . . . .	500 00	
	\$214,200 00	
<i>Prince Edward Island.</i>		
Belfast pier—Dredging . . . . . \$	1,750 00	
Casumpec harbour—Closing opening through beach. . . . .	1,500 00	
Cove Head harbour—Improvement of entrance channel . . . . .	4,000 00	
Creosoted timber for piers and breakwaters. . .	2,000 00	
Gaspereaux—Harbour for fishermen in Graham's Pond. . . . .	500 00	
Higgin's shore pier—Works of reconstruction and repair . . . . .	1,000 00	
Lower Montague—Aitken's wharf. . . . .	2,800 00	
New London—Repairs to breakwater, etc . . .	500 00	
Repairs to piers and breakwaters . . . . .	6,000 00	
St. Peter's Bay breakwater—Construction of block at outer end . . . . .	1,250 00	
Souris, Knight's Point—Strengthening of break- water, etc. . . . .	10,000 00	
Tignish—Rebuilding northern breakwater. . .	700 00	
	32,000 00	
<i>New Brunswick.</i>		
Anderson's Hollow—Improvements and repairs to wharf. . . . . \$	360 00	
Bay du Vin—To complete reconstruction of wharf	100 00	
Campbellton ferry—Landing wharf . . . . .	600 00	
" wharf—Extension and repairs. . . . .	3,600 00	

## SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
<b>PUBLIC WORKS—Continued.</b>	<b>\$ ct.</b>	<b>\$ cts.</b>
<i>(Chargeable to Income.)—Continued.</i>		
<b>HARBOURS AND RIVERS—Continued.</b>		
<i>New Brunswick—Concluded.</i>		
Campobello (Wilson's Beach)—To complete re- construction of breakwater.....	\$ 1,300 00	
Caraquet—Wharf.....	11,000 00	
Chockfish River—Improvement of outlet.....	400 00	
Clifton (Stonehaven) Repairs to breakwater....	460 00	
Lord's Cove (Deer Island)—Completion of wharf	100 00	
Mispec harbour—Repairs to breakwater on west side.....	100 00	
Partridge Island—Repairs to eastern pier.....	100 00	
Quaco—Repairs to piers, etc.....	90 00	
Richibucto—To complete protection and exten- sion of north pier, etc.....	500 00	
River St. John, including tributaries.....	3,200 00	
River St. John and tributaries—To provide for contribution to Local Government, not to exceed one-half the first cost of wharfs built by them in tidal waters.....	600 00	
River St. John wharf at Oromocto.....	* 1,200 00	
St. John harbour—Negro Point breakwater....	4,000 00	
St. John harbour—Repairs to and extension of protection work at base of Fort Dufferin....	700 00	
Shippegan harbour—Repairs to protection works, etc., and additional groynes.....	220 00	
Shippegan—Wharf at Lameque.....	600 00	
Upper Salmon river—(Alma pier).....	800 00	
	\$ 30 033 00	
<i>Maritime Provinces Generally.</i>		
Harbours and rivers—General repairs and im- provements.....	20,000 00	
<i>Quebec.</i>		
Amherst, Magdalen Islands—Breakwater at Point Shea.....	\$ 800 00	
Baie St. Paul—Repairs to wharf at Cap aux Corbeaux.....	160 00	
Cross Point—Isolated landing pier.....	2,000 00	
Crane Island (south side)—Heavy repairs to wharf	600 00	
Father Point—Landing pier.....	12,200 00	
Grande Vallée—Pier.....	7,200 00	
Harbours, rivers and bridges—General repairs and improvements.....	4,000 00	
Isle aux Coudres—Repairs to wharf.....	360 00	
Lake St. Jean wharfs—Repairs, etc.....	500 00	
Lake Timiskaming—Improvements.....	1,200 00	
Laprairie—Ice piers and protection wall.....	1,000 00	
Le Tableau, Descente des Femmes—Wharf on River Saguenay.....	600 00	
L'Île d'Alma—Removal of rocks.....	300 00	
Lower St. Lawrence—Removal of rocks, etc....	600 00	
Magdalen Islands—Breakwaters and piers.....	4,000 00	
Maria—Pier.....	4,200 00	
Murray Bay—Increasing height of wharf and extending same.....	800 00	
Newport breakwater—Extension.....	1,600 00	
Nicolet River—Dredging, etc.....	2,400 00	
Pointe aux Esquimaux wharf—Headblock.....	1,000 00	

## SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
PUBLIC WORKS—Continued.	\$ cts.	\$ cts.
(Chargeable to Income.)—Continued.		
HARBOURS AND RIVERS—Continued.		
Quebec—Concluded.		
Pointe St. Pierre—Breakwater .....	\$ 4,400 00	
Rivière aux Renards—Breakwater—Pier ..	2,800 00	
Rivière Batiscan—To continue dredging of chan- nel at outlet of river .....	1,000 00	
Rivière Chateauguay—Dredging .....	1,030 00	
Rivière du Loup—Wharf—Improvements and repairs .....	700 00	
Rivière St. François—Ice piers at Richmond ..	2,200 00	
Rivière St. Maurice between Grandes Piles and Tuque .....	1,600 00	
Rivière St. Maurice—Dredging eastern channel.	1,600 00	
Rivière Touladié—Improvement of .....	400 00	
St. Alexis, Baie des Ha Ha—Pier .....	800 00	
St. Alphonse (de Bagotville)—Repairs to wharf.	100 00	
St. André de Kamouraska—To complete repairs to earth approach to pier, etc. ....	150 00	
St. François—Pier on south shore of Island of Orleans .....	1,800 00	
St. Irénée wharf—Construction of head block and repairs .....	720 00	
St. Jérôme (Lake St. John)—Wharf .....	400 00	
St. Michel de Bellechasse—To complete repairs to pier .....	500 00	
Sorel—Deep water wharf .....	9,400 00	
Temiscouata Lake—Landing piers .....	240 00	
Three Rivers harbour—Additional deep water wharfs .....	20,000 00	
Valleyfield—Dredging channel in Valleyfield Bay, etc. ....	800 00	
Yamaska dam—Repairs .....	600 00	
Yamaska River—Dredging .....	1,600 00	
	\$ 98,330 00	
Ontario.		
Amherstburg—Dredging .....	\$ 5,000 00	
Barrie—Construction of wharfs .....	3,000 00	
Bayfield—Extension of southern pier ..	5,000 00	
Belle Rivière—Repairs to sheet piling .....	1,400 00	
Blind River—Wharf .....	9,000 00	
Bowmanville—To complete repairs to breakwater	1,000 00	
Bronte—Harbour improvements .....	2,700 00	
Burk's Falls, Magnetawan River—Wharf .....	4,000 00	
Burlington Channel piers—Works of renewal and repair under contract .....	50,000 00	
Cobourg—Repairs to piers and dredging .....	2,500 00	
Depot Harbour—Breakwater .....	75,000 00	
Georgian Bay, Pointe au Baril route—Improve- ment of the Devil's Elbow channel between Parry Sound and Killarney .....	3,000 00	
Goderich harbour works .....	16,000 00	
Harbours, rivers and bridges—General repairs and improvements to .....	15,000 00	
Hawkesbury—Dredging .....	4,000 00	
Kincardine harbour—Repairs to piers and dredg- ing .....	3,000 00	
Lake Timiskaming—Wharfs .....	5,500 00	
McGregor's Creek—New protection works and repairs to old work .....	4,500 00	
Meaford harbour—Repairs to piers .....	2,000 00	

## SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
<b>PUBLIC WORKS—Continued.</b>	<b>\$ cts.</b>	<b>\$ cts.</b>
(Chargeable to Income.)—Continued.		
<b>HARBOURS AND RIVERS—Continued.</b>		
<i>Ontario—Concluded.</i>		
Midland harbour—Dredging.....	\$ 12,000 00	
Midland harbour—Wharf .....	10,000 00	
Newcastle—To complete repairs to piers.....	8,000 00	
Oakville—Repairs to pier, etc.....	6,000 00	
Orillia—New wharf .....	7,000 00	
Owen Sound harbour—Dredging and pile protection works .....	16,000 00	
Pelee Island—Extension to wharf.....	1,200 00	
Penetanguishene—Dredging .....	3,000 00	
Pickering harbour—Repairs to piers and dredging.....	2,500 00	
Point Edward—Dredging.....	10,000 00	
Port Elgin—Dredging and repairs to landing pier .....	4,000 00	
Port Hope—Repairs to pier and dredging .....	7,500 00	
Rivière aux Puces—Repairs to pilework.....	1,800 00	
River St. Lawrence—Dredging steamboat channel through shoal at foot of Wolfe Island...	3,000 00	
Rondeau Harbour—Improvements to piers and dredging at entrance .....	6,000 00	
Southampton—Improvement of harbour.....	10,000 00	
St. Joseph, Lake Huron—Wharf .....	5,000 00	
Sturgeon Falls—Wharf.....	4,500 00	
Thornbury—Repairs to harbour works .....	1,500 00	
Toronto harbour—Works at eastern entrance, etc .....	14,000 00	
Trenton, dredging—Trent River .....	5,000 00	
Wendover wharf—Including ice breakers and storehouse, with waiting room.....	1,000 00	
	<u>\$ 350,600 00</u>	
<i>Manitoba.</i>		
Harbours, rivers and bridges—General repairs and improvements.....	\$ 3,000 00	
Gull Harbour, St. George's Bay—Extension of wharf .....	1,500 00	
Hnausa—Wharf extension.....	1,500 00	
Lake Dauphin—Lowering of.....	5,000 00	
Lake Manitoba—Additional outlet via Fairford River .....	5,000 00	
Lake Francis outlet—Construction of guide piers and dredging.....	6,000 00	
Selkirk—Extension of wharf.....	3,000 00	
Wharf on Lake Winnipeg at Gimli—To complete repairs .....	1,250 00	
White Mud River—Dredging at mouth of.....	3,500 00	
Winnipegosis—Dredging channel at mouth of the Mossy River.....	4,500 00	
	<u>34,250 00</u>	
<i>North-west Territories.</i>		
Harbours, rivers and bridges, including approaches—General repairs and improvements. ....	5,000 00	
<i>British Columbia.</i>		
Anderson and Kennedy lakes—Clearing outlets.\$ ..	2,500 00	
Columbia River, above Revelstoke—Removal of obstructions to navigation.....	6,000 00	
Columbia River—Improvements above Golden ..	3,000 00	
Columbia River—Improvements below Golden ..	5,000 00	



SCHEDULE B--*Continued.*

SERVICE.	Amount.	Total.
<b>PUBLIC WORKS—Continued.</b>	\$ cts.	\$ cts.
(Chargeable to Income.)—Continued.		
<b>HARBOURS AND RIVERS—Concluded.</b>		
<i>British Columbia—Concluded.</i>		
Duncan River—Improvements.....\$ 2,000 00		
Fraser River—Improvement of ship channel, protection works, etc. .... 10,000 00		
Harbours, rivers and bridges—General repairs and improvements, etc. .... 3,000 00		
Nanaimo harbour—Improvement of north channel, etc. .... 5,000 00		
Skeena River—Improvements ..... 5,000 00		
Victoria harbour—Dredging in the harbour, etc. 15,000 00		
Williams' Head quarantine station—Repairs to wharf and improvement of water service.... 6,000 00		
	\$ 62,500 00	
<i>Generally.</i>		
Harbours and rivers generally..... 5,000 00		
	851,910 00	
<b>DREDGING.</b>		
<i>Including Salaries of Engineers, Superintendents and Clerks.</i>		
Dredge vessels—Repairs.....\$ 30,000 00		
" " Manitoba..... 12,000 00		
" " British Columbia ..... 5,000 00		
New dredging plant, maritime provinces—New hydraulic dredge ..... 200,000 00		
New dredging plant, Ontario and Quebec..... 75,000 00		
New dredging plant, Manitoba, self-propelling snag boat, to work in Red and Assiniboine rivers..... 10,000 00		
New dredging plant generally..... 60,000 00		
Dredging—Nova Scotia, Prince Edward Island and New Brunswick..... 87,000 00		
Dredging—Quebec and Ontario..... 75,000 00		
" Manitoba..... 20,000 00		
" British Columbia..... 35,000 00		
" General service..... 5,000 00		
	614,000 00	
<b>SLIDES AND BOOMS.</b>		
St. Maurice district—Improvements of boom works to facilitate the floating and storage of logs, etc..... \$ 50,000 00		
Slides and booms generally..... 5,000 00		
	55,000 00	
<b>ROADS AND BRIDGES.</b>		
Portage du Fort—Bridge over the Ottawa—Works of reconstruction, provided the Quebec and Ontario governments contribute \$5,000, including approaches. .... \$ 16,000 00		
Ottawa city—Bridges over the River Ottawa, the slides and the Rideau Canal and approaches thereto—Ordinary repairs..... 7,000 00		
Dominion traffic bridges throughout Canada, including approaches..... 5,000 00		
	28,000 00	

## SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
PUBLIC WORKS— <i>Concluded.</i>	\$ cts.	\$ cts.
(Chargeable to Income.)— <i>Concluded.</i>		
TELEGRAPH LINES.		
LAND AND CABLE LINES, GULF OF ST. LAWRENCE, ETC.		
Maritime Provinces.		
St. Peter's to Louisbourg, with extension to Scatari Island lighthouse .....	\$ 18,000 00	
St. Peter's to Louisbourg and Scatari Island— Extension—Gabus to North Sydney .....		
St. Peter's to Canso—Telegraph line and cable between Port Mulgrave and Port Hawkes- bury.....		
	10,000 00	
	\$ 28,000 00	
Quebec.		
To repair and improve roadways and increase operating facilities generally to eastward of Godbout.....	\$ 1,000 00	
Belle Isle—Telegraph line between extreme ends of island.....	5,000 00	
Magdalen Islands—Land lines, renewal of wiring	2,000 00	
	8,000 00	
	36,000 00	
MISCELLANEOUS.		
Surveys and inspections.....	\$ 50,000 00	
National Art Gallery, Ottawa, including the purchase of paintings on the advice of a committee of artists.....	7,500 00	
Chief Engineer's office—Salaries of engineers, draughtsmen and clerks, notwithstanding anything in the Civil Ser- vice Act.....	59,200 00	
Chief Architect's office—Salaries of architects, draughtsmen and clerks, notwithstanding anything in the Civil Ser- vice Act .....	32,200 00	
Telegraph service—Salaries of staff, notwithstanding any- thing in the Civil Service Act.....	6,000 00	
Temporary clerical and other assistance, inclusive of services of all persons required who were first employed after July 1, 1882, notwithstanding anything in the Civil Ser- vice Act.....	36,000 00	
One-half of the salary of the departmental photographer....	750 00	
Balances of expenditures for works already authorized for which the appropriations may be insufficient, provided the amount for each work does not exceed \$100. ....	3,000 00	
	194,650 00	
		2,881,860 00
MAIL SUBSIDIES AND STEAMSHIP SUBVENTIONS.		
Ocean and mail service between Great Britain and Canada.....	30,000 00	
Steam service between Halifax, St. John's, Newfoundland, and Liverpool, from July 1, 1903, to June 30, 1904.....	4,000 00	
Steam service between St. John and Glasgow during winter of 1903-4....	1,500 00	
Steam service between St. John, Dublin and Belfast during the winter of 1903-4.....	1,500 00	
A line or lines of steamers to run during the summer months between St. John, Halifax, and London, and during the winter months bet- ween St. John and London direct and Halifax and London direct...	8,000 00	
Steam communication between St. John and Digby, from July 1, 1903, to June 30, 1904.....	2,500 00	
A line or lines of steamers to run between St. John and Halifax, or either, and the West Indies and South America.....	16,140 00	

## SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
MAIL SUBSIDIES AND STEAMSHIP SUBVENTIONS— <i>Con.</i>	\$ cts.	\$ cts.
Steam service between Victoria and San Francisco.....	1,000 00	
Steam communication between Halifax and Newfoundland via Cape Breton ports.....	400 00	
Steam communication during the season of 1903, i.e., from the opening to the closing of navigation, between the mainland and the Magdalen Islands.....	1,800 00	
Steam communication during the season of 1903, i.e., from the opening to the closing of navigation, between Prince Edward Island and the mainland.....	2,500 00	
Steam communication from July 1, 1903, to June 30, 1904, between Grand Manan and the mainland.....	1,000 00	
Steam communication during the year of 1903, i.e., for not less than 52 full round weekly trips between St. John and Halifax, via Yarmouth and other way ports.....	2,000 00	
Steam communication during the season of 1903, i.e., from the opening to the closing of navigation, between St. John and Minas Basin ports..	600 00	
Steam communication from July 1, 1903, to June 30, 1904, between Pictou, Murray Harbour, Georgetown and Montague Bridge.....	240 00	
Steam communication from July 1, 1903, to June 30, 1904, between Quebec and Gaspé Basin, touching at intermediate ports.....	1,500 00	
Steam communication between a port or ports in Prince Edward Island and a port or ports in Great Britain.....	2,000 00	
Direct fortnightly steam service between Montreal, Quebec and Manchester, England, during the summer season, and between St. John, Halifax and Manchester during the winter season.....	7,000 00	
Direct monthly steam communication between Canada and South Africa.	29,200 00	
Steam communication during the season of 1903-4 between Baddeck, Grand Narrows, Iona, Big Pond and East Bay ..	1,000 00	
Steam communication during the season of 1903, i.e., from the opening to the closing of navigation, between Port Mulgrave, St. Peter's, Irish Cove and Marble Mountain ..	1,000 00	
Steam communication during the season of 1903, i.e., from the opening to the closing of navigation, between Gaspé Basin and Dalhousie. ....	2,500 00	
Steam communication during the season of 1903, i.e., from the opening to the closing of navigation, between Pictou and Cheticamp ..	400 00	
Steam communication from April 1, 1903, to March 31, 1904, between Port Mulgrave, Arichat and Canso; and between Port Mulgrave and Guysborough; and from the opening to the closing of navigation in 1903, between Port Mulgrave, Margaree and Cheticamp.....	1,600 00	
Steam service during the season of 1903, between Sydney and Whyecomagh.....	200 00	
Steam service during the year 1903, between St. Stephen, N.B., St. Croix River points, Deer Island, Campobello and the inner islands, Passamaquoddy Bay and L'Etete or Back Bay ..	400 00	
Steam service during the year 1903, between Quebec and Blanc Sablon, calling at ports and places along the north shore of the River St. Lawrence between such terminals.....	1,600 00	
Steam service during the season of 1903 between Sydney, C.B., and Bay St. Lawrence, calling at way ports.....	200 00	
Weekly service during season of navigation of 1903 between Halifax and Canso.....	800 00	
Winter steam navigation service during winter of 1903-4, between Quebec and St. Lawrence harbours down to Murray Bay and River Ouelle..	2,400 00	
Summer steamer service between Murray Bay and River Ouelle.....	1,200 00	
Steam service between Victoria, Vancouver, way ports and Skagway....	2,500 00	
Steam service between Victoria and west coast of Vancouver Island.....	500 00	
		129,180 00
OCEAN AND RIVER SERVICE.		
Maintenance and repairs to Government steamers.....	250,000 00	
Examination of masters and mates.....	5,000 00	
Rewards for saving life, including life-saving stations .....	10,000 00	
Investigations into wrecks.....	2,000 00	



## SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
<b>OCEAN AND RIVER SERVICE—Concluded.</b>		
Registration of shipping, to include the salary of a clerk preparing the shipping list beyond \$400, notwithstanding anything in the Civil Service Act.....	1,300 00	
Removal of obstructions in navigable rivers.....	1,000 00	
Tidal service, including the salary of an assistant clerk beyond \$400, notwithstanding anything in the Civil Service Act.....	22,500 00	
Winter mail service.....	8,500 00	
Salaries and expenses of cattle inspection.....	3,300 00	
Unforeseen expenses generally.....	5,000 00	
		308,600 00
<b>LIGHTHOUSE AND COAST SERVICE.</b>		
Salaries and allowances to lightkeepers.....	238,000 00	
Agencies, rents and contingencies.....	17,670 00	
Maintenance and repairs to lighthouses, including salary of U. P. Boucher, engineer in charge of buoys between Montreal and Platon.....	330,000 00	
Wages of crew and maintenance of Lurcher's Shoal lightship.....	10,000 00	
Wages of crew and maintenance of lightship at East Point, Anticosti....	10,000 00	
Construction of lighthouses and aids to navigation.....	322,000 00	
Salaries of temporary officers, engineers, and draughtsmen at Ottawa, at rates exceeding \$460 per annum, notwithstanding anything in the Civil Service Act.....	9,500 00	
Signal service.....	7,000 00	
Expenses of the Montreal Pilot Commissioners' Court.....	2,000 00	
Repairs to wharfs.....	3,000 00	
		949,170 00
<b>SCIENTIFIC INSTITUTIONS AND HYDROGRAPHIC SURVEYS.</b>		
Magnetic observatory.....	2,700 00	
Meteorological service.....	82,803 00	
Hydrographic surveys.....	35,000 00	
		120,503 00
<b>MARINE HOSPITALS.</b>		
Care of sick seamen in the marine hospitals in the maritime provinces, and repairs to marine hospitals.....	50,000 00	
Shipwrecked and distressed seamen.....	3,000 00	
		53,000 00
<b>STEAMBOAT INSPECTION.</b>		
Steamboat inspection.....	30,000 00	
Inspector of Dominion steamers and fog-alarms.....	1,500 00	
		31,500 00
<b>FISHERIES.</b>		
Salaries and disbursements of fishery inspectors, overseers and guardians.....	85,000 00	
Building and maintenance of fish-breeding establishments and lobster hatcheries.....	95,000 00	
Fisheries Protective Service, including maintenance of new vessels in British Columbia.....	130,000 00	
Building fishways and clearing rivers.....	3,000 00	
Legal and incidental expenses.....	2,000 00	
Canadian Fishery exhibit.....	4,000 00	
Persons employed in the Department of Marine and Fisheries, for services in connection with the distribution of the fishing bounty.....	5,000 00	
Oyster culture.....	7,000 00	
To assist in the establishment, maintenance and inspection of cold storage for bait for deep-sea fishermen, under conditions to be fixed by the Department of Marine and Fisheries.....	25,000 00	
Maintenance of the Georgian Bay biological laboratory.....	1,500 00	
		357,500 00



## SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
<b>SUPERINTENDENT OF INSURANCE.</b>		
Expenses in connection with this service, including \$2,800 to A. K. Blackadar, actuary of the Department, and \$1,200 to M. D. Grant, notwithstanding anything in the Civil Service Act. ....		2,460 00
<b>GEOLOGICAL SURVEY.</b>		
Exploration and surveys. ....	10,000 00	
Printing and publication of reports and maps, etc. ....		
Wages of assistant explorers, draughtsmen, clerks and others. ....		
Purchase of specimens, books, instruments, stationery, mapping materials, materials, maintenance of museum, laboratory apparatus, chemicals and miscellaneous expenses. ....		
Advances to explorers. ....		
Salary of a geologist to the International Boundary Survey from July 1, 1903, to June 30, 1904. ....	400 00	
Plotting and compiling of surveys, plans, maps and utilizing field-notes, etc. (Persons having technical or professional qualifications may be paid out of this sum at rates exceeding \$400 per annum, notwithstanding anything in the Civil Service Act, or any other Act.). ....	1,100 00	
Salary of Mrs. Jane Alexander, assistant librarian, at the rate of \$2 per day, notwithstanding anything in the Civil Service Act. ....	146 00	
		11,646 00
<b>INDIAN AFFAIRS.</b>		
<b>ONTARIO AND QUEBEC.</b>		
Relief, medical attendance and medicines, Quebec .....\$ 1,120 00		
Relief, medical attendance and medicines, Ontario. ....	400 00	
Blankets and clothing, Ontario and Quebec. ....	100 00	
Schools, Ontario, Quebec and maritime provinces. ....	8,978 00	
Salaries of chiefs, Cape Croker and Gibson and agent, St. Regis. ....	30 00	
Payment of Robinson Treaty annuities. ....	3,361 20	
Survey of the Indian Reserves. ....	100 00	
Indian Land Management Fund. ....	2,800 00	
Grant for Agricultural Society, Munceys of the Thames. ....	18 00	
To assist in suppression of liquor traffic among Indians belonging to bands in older provinces which have no funds of their own. ....	100 00	
Erection of lock-up at St. Regis. ....	100 00	
General legal expenses. ....	700 00	
		17,807 20
<b>NOVA SCOTIA.</b>		
Salaries .....\$ 245 00		
Relief and seed grain. ....	540 00	
Medical attendance and medicines. ....	740 00	
Miscellaneous and unforeseen. ....	60 00	
To improve sanitary conditions on Indian Reserve, near Sydney. ....	200 00	
		1,785 00
<b>NEW BRUNSWICK.</b>		
Salaries .....\$ 241 60		
Relief and seed grain. ....	460 00	
Medical attendance and medicines. ....	600 00	
Miscellaneous and unforeseen. ....	60 00	
		1,361 60

## SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
<b>INDIAN AFFAIRS—Continued.</b>		
	\$ cts.	\$ cts.
<b>PRINCE EDWARD ISLAND.</b>		
Salaries and travelling expenses . . . . .	\$ 60 00	
Relief and seed grain . . . . .	185 00	
Medical attendance and medicines . . . . .	130 00	
Office and miscellaneous expenses . . . . .	15 00	
	390 00	
<b>MANITOBA AND NORTH-WEST TERRITORIES.</b>		
Annuities . . . . .	\$ 28,937 00	
Agricultural implements . . . . .	1,589 80	
Seeds . . . . .	243 40	
Live stock . . . . .	4,059 00	
Supplies for destitute and working Indians . . . . .	38,694 40	
Triennial clothing . . . . .	817 80	
Day, boarding and industrial schools . . . . .	60,111 20	
Surveys . . . . .	1,000 00	
Sioux . . . . .	1,061 00	
Grist and saw-mills . . . . .	452 40	
General expenses . . . . .	31,418 20	
	168,384 20	
<b>BRITISH COLUMBIA.</b>		
Salaries . . . . .	\$ 4,168 00	
Relief . . . . .	900 00	
Seed . . . . .	200 00	
Medical attendance and medicines . . . . .	2,200 00	
Day schools . . . . .	1,940 00	
Industrial and boarding schools . . . . .	13,930 00	
Travelling expenses . . . . .	1,120 00	
Office and miscellaneous (including hospitals, irrigation, dyking and suppression of the liquor traffic) . . . . .	2,124 00	
Surveys and reserve commission . . . . .	1,000 00	
	27,582 00	
<b>YUKON TERRITORY.</b>		
Relief of destitute Indians and medical attendance . . . . .	\$ 1,000 00	
To promote the education of the Indians in the Territory . . . . .	1,000 00	
	2,000 00	
<b>GENERAL.</b>		
J. A. Macrae, Inspector of Indian Agencies and Reserves . . . . .	\$ 360 00	
Geo. L. Ch'tty, Inspector of Timber . . . . .	240 00	
Travelling expenses and clerical assistance for these officers . . . . .	240 00	
Printing and stationery, outside service generally (including schools) . . . . .	1,200 00	
	2,040 00	
<b>NORTH-WEST MOUNTED POLICE.</b>		221,350 00
<b>NORTH-WEST TERRITORIES.</b>		
Pay of force . . . . .	182,500 00	
Subsistence, forage, fuel and light . . . . .	125,000 00	
Clothing, repairs, renewals, horses, arms and ammunition, medical stores and stationery . . . . .	55,000 00	
Scouts, guides, billeting, transport of men, horses and stores and contingencies . . . . .	22,500 00	
New buildings and repairs . . . . .	15,000 00	
	400,000 00	

## SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
<b>NORTH-WEST MOUNTED POLICE—Concluded.</b>	\$ cts.	\$ cts.
<b>YUKON TERRITORY.</b>		
Pay of force .....	\$ 170,000 00	
Subsistence, forage, fuel and light. ....	170,000 00	
Clothing, repairs and renewals, horses, dogs, arms and ammunition, medical stores, stationery, billeting and contingencies .....	70,000 00	
Buildings.....	25,000 00	
Transport .....	65,000 00	
	500,000 00	900,000 00
<b>NORTH-WEST TERRITORIES.</b>		
Expenditure connected with the Lieutenant Governor's office.. ....	1,376 00	
Incidental justice, etc., including clerical assistance.....	400 00	
Registrars, etc.....	5,400 00	
Insane patients.....	10,000 00	
Schools in unorganized districts, including clerical assistance.....	1,300 00	
Grant for schools, clerical assistance, printing, etc., to be paid half yearly in advance.....	91,595 80	110,071 80
<b>YUKON TERRITORY.</b>		
Salaries and expenses in connection with the administration of the territory.....	56,000 00	
Grant to Yukon Council for local purposes.....	25,000 00	81,000 00
<b>DOMINION LANDS.</b>		
(Chargeable to Capital.)		
Surveys, examination of survey returns, printing of plans, including \$13,000 for irrigation surveys .....		86,000 00
<b>DOMINION LANDS.</b>		
(Chargeable to Income.)		
Commissioner's salary.....	600 00	
Superintendent of Mines' salary.....	600 00	
Salaries of Inspectors, Dominion Lands and Crown Timber Agents, sub-agents and clerks in outside service.....	19,980 00	
Inspector's expenses, travelling expenses of Commissioner, Superintendent of Mines and Homestead Inspectors, contingencies of Dominion Lands and Crown Timber Agents at head office, removal expenses, stationery and printing, etc.....	7,420 00	
Members of Board of Examiners of Dominion Land Surveyors, including expenses of the Board. (The authority required by the Civil Service Act is hereby given for paying out of this sum such amounts as may be required to pay for service of members of the Board who are members of the Civil Service). ....	110 00	
Salaries of extra clerks at head office and advertising, including \$5,000 for extra service in connection with Dominion Lands, notwithstanding anything in the Civil Service Act.....	5,646 40	
Protection of timber lands in Manitoba and the North-west Territories, and tree culture in the North-west Territories.....	5,000 00	39,356 40

## SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
MISCELLANEOUS.		
Canada Gazette.....	1,400 00	
Miscellaneous printing.....	8,000 00	
Expenses in connection with distribution of Parliamentary documents.....	240 00	
Plant for Printing Bureau.....	1,400 00	
Contribution towards publication of International Catalogue of Scientific Literature.....	100 00	
Unforeseen expenses, expenditure thereof to be under Order in Council, and a detailed statement to be laid before Parliament within the first fifteen days of the next session.....	4,000 00	
Commutation in lieu of remission of duties on articles imported for the use of the army and navy.....	450 00	
Salaries and contingencies of the office of the Paris agency.....	1,300 00	
Payments of extra clerks for service rendered in preparation of returns ordered by Parliament.....	400 00	
Academy of Arts.....	400 00	
To assist in the publication of the proceedings of the Royal Society.....	1,000 00	
Cost of arbitration respecting the accounts between the Dominion of Canada and the Provinces of Ontario and Quebec (payments on account of service rendered may be made to members of the Civil Service, notwithstanding anything in the Civil Service Act).....	600 00	
Expenses of taking evidence concerning the Public Accounts and reporting the same to the Auditor General under authority of Section 57 of the Consolidated Revenue and Audit Act, and to pay for legal advice to the Auditor General.....	100 00	
To assist in defraying the cost of the publication of documents issued by the Canadian Mining Institute.....	200 00	
Preparing and printing Dr. Rand's English Micmac Dictionary.....	187 00	
Consolidation of Dominion Statutes, which may be paid notwithstanding anything contained in the Civil Service Act or in the Act respecting the Department of Public Printing and Stationery.....	4,000 00	
Expenses of litigated matters which may be paid for services in connection with the litigation conducted within the Department of Justice, notwithstanding anything in the Civil Service Act.....	3,000 00	
Classification of old records of Canada in the office of the Privy Council. Payments on account of this service may be made notwithstanding anything in the Civil Service Act.....	200 00	
Compensation to members of the North-west Mounted Police for injuries received in the discharge of duty.....	2,000 00	
Maintenance, construction of roads, bridges, and other necessary works in connection with the Hot Spring Reservation, near Banff Station, N.W.T.....	4,484 00	
Construction of roads, bridle paths and other necessary works in connection with the Yoho Park Reserve.....	2,000 00	
Cost of investigations and demarcations and other astronomical work of the Department of the Interior. (Salaries of temporary officers and clerks may be paid out of this sum at rates exceeding \$400 per annum, notwithstanding anything in the Civil Service Act).....	11,600 00	
Astronomical Observatory, for telescope and apparatus.....	1,000 00	
Costs of litigation.....	2,200 00	
Expenses of Government in district of Keewatin.....	438 00	
Maintenance of lunatics from Keewatin.....	400 00	
Maintenance of Assay Office at Vancouver.....	3,400 00	
Engraving, lithographing and printing maps of the Dominion and the North-west Territories.....	3,000 00	
Relief of distressed Canadians in countries other than United States. ....	100 00	
Department of Labour—Allowance to correspondents, printing and stationery (including printing of <i>Labour Gazette</i> ), travelling expenses, etc., and \$500 each for an accountant and French translator, which sum may be paid to any one in the Civil Service notwithstanding anything in the Civil Service Act.....	6,690 00	

64,289 00



## SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
COLLECTION OF REVENUE.		
CUSTOMS.		
Salaries and contingent expenses of the several ports in the various provinces and in the North-west Territories...	\$1,059,865 00	
Salaries and travelling expenses of Inspectors of Ports, and travelling expenses of other officers on inspection and preventive service. ....		
Board of Customs—Expenditure in connection therewith		
Customs Laboratory—Expenditure in connection with the testing of sugar, molasses, etc., including pay of officers appointed or employed for that purpose.....	129,200 00	
Salaries of officers appointed or employed for compiling statistical returns of imports and exports.....		
Miscellaneous—Day books, ledgers, bookbinding, printing and stationery, subscriptions to commercial papers, flags, dating stamps, locks, instruments, etc., for various ports of entry, legal expenses and uniforms for Customs officers.....	37,500 00	
Expenses of maintenance of revenue cruisers and preventive service .....	30,000 00	
Amounts to be paid to Department of Justice to be disbursed by and accounted for to it for secret preventive service .....	5,000 00	
Amount required to meet expenditure in the Yukon Territory.....	40,000 00	
		1,301,565 00
EXCISE.		
Salaries of officers and inspectors of excise, etc., to provide for increases depending upon the result of excise examinations .....	\$ 341,945 62	
Extra duty-pay at large distilleries and other factories ....	7,000 00	
Duty-pay to officers serving longer hours at other than special survey.....	1,000 00	
Preventive service.....	13,000 00	
Travelling expenses, rent, fuel, stationery, etc.....	60,000 00	
Stamps for imported and Canadian tobacco.....	25,000 00	
Collectors of Customs allowance for duty collected by them for 1902-3.....	5,500 00	
Commission to sellers of stamps for Canadian twist tobacco.	100 00	
L. A. Frechette for special translation .....	100 00	
Provisional allowance of not more than \$100 each to officers in British Columbia whose salary does not exceed \$700 per annum.....	500 00	
To enable the department to supply methylated spirits to manufacturers, the cost of which will be recouped by the manufacturers to whom it is supplied, and to pay for rent, light, power, freight, salaries, etc.....	60,000 00	
		514,145 62
WEIGHTS AND MEASURES, GAS AND ELECTRIC LIGHT INSPECTION.		
Salaries of officers, inspectors and assistant inspectors of weights and measures.....	\$ 61,050 00	
Rent, fuel, travelling expenses, postage, stationery, etc., for weights and measures, including amount for purchase of standards of the metric system, salaries and other expenses of inspectors, etc.....	33,500 00	
Salaries of inspectors of gas and electric light.....	22,750 00	
Rent, fuel, travelling expenses, postage, stationery, etc., for gas and electric light inspection and the purchase and repairs of instruments.....	12,000 00	
		129,300 00

## SCHEDULE B—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
<b>COLLECTION OF REVENUE—Continued.</b>		
<b>ADULTERATION ACT, AND THE LAW RELATING TO FRAUDULENT MARKING.</b>		
Expenditure .....	30,000 00	
<b>MINOR REVENUES.</b>		
Inland revenue.....	\$ 1,000 00	
Ordinance lands.....	1,080 00	
	2,080 00	
<b>RAILWAYS AND CANALS.</b>		
<i>Railways.</i>		
Intercolonial Railway.....	\$ 1,300,000 00	
Rental to Grand Trunk. ....	28,000 00	
Prince Edward Island Railway.....	64,000 00	
Windsor branch.....	6,000 00	
	\$ 1,398,000 00	
<i>Canals.</i>		
Repairs and operating expenses.....	\$ 146,385 00	
Additional to pay persons employed permanently in the public service and remuneration to any other persons for services rendered for and in connection with passing vessels through the canals of the Government of Canada from midnight on Saturday to midnight on Sunday, notwithstanding anything in the Civil Service Act .....	3,600 00	
Salaries and contingencies, collectors' offices.....	7,136 60	
	157,121 60	
	1,555,121 60	
<b>PUBLIC WORKS.</b>		
Collection of slide and boom dues, including salaries of clerks, notwithstanding anything in the Civil Service Act .....	\$ 5,000 00	
Upper Ottawa Improvement Company—Allowance <i>re</i> logs passed through Chenaux boom, 1903-4 .....	1,800 00	
Gatineau River—To provide for the use of Messrs. Gilmour & Hughson's booms at the Cascades in 1903-4. ....	600 00	
Repairs and working expenses, harbours, docks and slides.....	130,900 00	
Telegraph lines—P. E. Island and mainland .....	2,000 00	
Land and cable telegraph lines, lower St. Lawrence and Maritime Provinces, including working expenses of vessels required for cable service, also maintenance of Marconi wireless telegraphy at Belle Isle.....	80,000 00	
Telegraph lines—		
North-west Territories .....	20,000 00	
British Columbia.....	15,000 00	
Yukon Territory (Ashcroft-Dawson line and branches)	121,000 00	
Telegraph service generally.....	3,500 00	
Public Works agency, British Columbia.....	2,500 00	
	382,300 00	
<b>POST OFFICE.</b>		
Salaries and allowances.....	\$ 274,673 35	
Mail service .....	476,570 00	
Miscellaneous .....	54,000 00	
Yukon Territory .....	23,000 00	
	833,243 35	

SCHEDULE B—*Concluded.*

SERVICE.	Amount.	Total.
COLLECTION OF REVENUE— <i>Concluded.</i>	\$ cts.	\$ cts.
TRADE AND COMMERCE.		
Administration of the Chinese Immigration Act, including remuneration to Trade and Commerce and Customs officers.....	\$ 1,000 00	
Canada's proportion of expenditure in connection with International Customs Tariffs Bureau.....	120 00	
Commercial agencies, including expenses in connection with negotiation of treaties or in extension of commercial relations.....	8,000 00	
Bounties on iron and steel and on the refining of lead. To cover expenditure in connection with the administration of the Acts .....	1,000 00	
	10,120 00	
INSPECTION OF STAPLES.		
Chief inspectors, inspectors, deputy inspectors and other employees under the General Inspection and Manitoba Grain Acts.. ..	\$ 9,600 00	
Rents, day wages and other contingencies, including the purchase and distribution of standards of grain and flour and other expenditure under the said Acts.. ....	2,400 00	
Inspection of binder twine .....	500 00	
	12,500 00	
CULLING TIMBER.		
Salaries of supervisor, book-keeper, specification and other clerks .....	\$ 1,220 00	
Contingencies.....	560 00	
Cullers.....	840 00	
Superannuated cullers .....	880 00	
	3,500 00	
Total .....		4,773,875 57
		18,342,669 37

OTTAWA: Printed by SAMUEL EDWARD DAWSON, Law Printer to the King's most Excellent Majesty.







## 3 EDWARD VII.

### CHAP. 3.

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 30th June, 1903.

[Assented to 13th August, 1903.]

MOST GRACIOUS SOVEREIGN,

**W**HEREAS it appears by a message from His Excellency the Right Honourable Sir Gilbert John Elliot, Earl of Minto, Governor General of Canada, and the estimates accompanying the said message, that the sums hereinafter mentioned are required to defray certain expenses of the public service of Canada, not otherwise provided for, for the financial year ending the thirtieth day of June, one thousand nine hundred and three, and for other purposes connected with the public service : May it therefore please Your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that :—

**1.** This Act may be cited as *The Appropriation Act (No. 3)*, Short title. 1903.

**2.** From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole two million nine hundred and seventy-seven thousand and fifty-three dollars and seventy-three cents, towards defraying the several charges and expenses of the public service, from the first day of July, in the year of Our Lord one thousand nine hundred and two, to the thirtieth day of June, in the year of Our Lord one thousand nine hundred and three, not otherwise provided for, and set forth in the schedule to this Act.

\$2,977,053 73  
granted for  
financial year  
1902-1903.

**3.** The amounts granted by this Act for the Government of the North-west Territories shall not be deemed to have lapsed if not expended within the year for which they are granted.

Special  
provision as  
to N.-W.T.

Account to be  
rendered in  
detail.

4. A detailed account of the sums expended under the authority of this Act shall be laid before the House of Commons of Canada during the first fifteen days of the then next session of Parliament.

## SCHEDULE.

SUMS granted to His Majesty by this Act for the financial year ending 30th June, 1903, and the purposes for which they are granted.

SERVICE.	Amount.	Total.
<b>IMMIGRATION.</b>	\$ cts.	\$ cts.
Immigration general expenses—Further amount to purchase tents, etc. . .	65,000 00	
Expenses in connection with the Coronation arch. . . . .	33,000 00	
Widow of the late Marc Lessard, a messenger in the immigration hall, Quebec, gratuity. . . . .	114 06	
		98,114 06
<b>MILITIA.</b>		
(Chargeable to Income.)		
Land adjoining Hamilton drill hall. . . . .	6,000 00	
Christie & Pufford, for work on drill hall, Victoria, B.C. . . . .	59 90	
Gunner Wilson, for work on Central Rifle Range, B.C. . . . .	173 00	
Coronation contingent—Further amount. . . . .	13,000 00	
To reimburse Lt.-Col. F. M. Cole his costs in <i>Cooke v. Cole</i> . . . . .	1,351 43	
		20,584 33
<b>RAILWAYS AND CANALS.</b>		
(Chargeable to Capital.)		
<b>RAILWAYS.</b>		
<i>Intercolonial.</i>		
To exchange drawbars of freight cars. . . . .	\$ 45,000 00	
To equip passenger cars with vestibules. . . . .	8,000 00	
To increase accommodation at Lévis. . . . .	34,000 00	
Towards improving ferry service at Strait of Canso. . . . .	20,000 00	
Improvement at Nicolet station. . . . .	600 00	
Towards building branch from Rivière Ouelle station . . . . .	23,000 00	
Air brakes to freight cars. . . . .	10,000 00	
Eastern Extension Railway of N.B.—Balance of interest on award of arbitrators. . . . .	1,230 87	
Eastern Extension Railway, Nova Scotia—One- half arbitrator's and stenographer's fees. . . . .	3,952 62	
	\$145,783 49	
<i>Prince Edward Island.</i>		
Addition to freight house, Mount Stewart. . . . .	\$ 300 00	
Murray Harbour branch and Hillsboro bridge. . . . .	300,000 00	
To provide and lay steel rails. . . . .	13,400 00	
	313,700 00	
<b>CANALS.</b>		459,483 49
<i>Trent.</i>		
Construction. . . . .	\$ 224,000 00	

## SCHEDULE—Continued.

SERVICE.	Amount.	Total.
RAILWAYS AND CANALS—Continued.	\$ cts.	\$ cts.
(Chargeable to Capital.)—Concluded.		
CANALS—Concluded.		
Soulanges.		
Construction and equipment.....	\$155,000 00	
Daughter and executrix of the late T. Munro, C.E., gratuity.....	500 00	
	<u>\$155,500 00</u>	
Sault Ste. Marie.		
Construction and equipment.....	18,000 00	
Farran's Point.		
Enlargement.....	7,000 00	
North Channel.		
Forming channel.....	80,000 00	
Galops Canal.		
Enlargement.....	25,000 00	
Galops Rapid.		
Deepening and widening.....	25,000 00	
Welland.		
To remove obstructions and make other im- provements.....	\$ 30,000 00	
Land damages, Grand River.....	625 00	
	<u>30,625 00</u>	
Lachine.		
Electrical appliances for operating lock gates, bridges and weirs.....	20,000 00	
	<u>585,125 00</u>	
		1,044,608 49
RAILWAYS AND CANALS.		
(Chargeable to Income.)		
CANALS.		
Rideau.		
To complete Brasses' Point bridge.....	\$ 2,750 00	
To complete Kingston Mills bridge.....	290 00	
	<u>\$ 3,040 00</u>	
Welland.		
To complete dam and bridge at Dunnville.....	3,001 00	



## SCHEDULE—Continued.

SERVICE.	Amount.	Total.
RAILWAYS AND CANALS— <i>Concluded.</i>	\$ cts.	\$ cts.
(Chargeable to Income.)— <i>Concluded.</i>		
CANALS— <i>Concluded.</i>		
Lachine.		
Repairs to bridges.....	\$ 2,600 00	
Legal representatives of the late Jules Gélinas, gratuity.....	110 00	
To replace cast iron by steel rollers and treads on bridges.....	2,000 00	
	<u>\$ 4,710 00</u>	
	10,751 00	
MISCELLANEOUS.		
Surveys and inspections (Cattle Guard Commission).....	\$ 3,000 00	
Salaries extra clerks, copyists and messengers, other than those who have passed the Civil Service examinations, notwithstanding anything in the Civil Service Act.....	400 00	
	<u>3,400 00</u>	
		14,151 00
SCIENTIFIC INSTITUTIONS AND HYDROGRAPHIC SURVEYS.		
Time ball at Halifax, N.S. ....	1,000 00	
Captain A. M. MacGregor, late master of the surveying steamer <i>Bayfield</i> , gratuity.....	1,050 00	
		2,050 00
GEOLOGICAL SURVEY.		
Plotting and compiling of surveys, plans, maps, etc., additional amount..	1,181 25	
Metallurgical and petrographical assistance. (Salaries may be paid out of this sum, notwithstanding anything in the Civil Service Act) .....	1,605 48	
Metallurgical and assaying apparatus, chemicals, etc.....	650 00	
		3,436 73
INDIAN AFFAIRS.		
Ontario and Quebec—Relief and medical attendance—Further amount...	2,500 00	
Manitoba and North-west Territories .....	25,070 00	
British Columbia .....	12,000 00	
Yukon Territory .....	7,000 00	
General .....	700 00	
		47,270 00
NORTH-WEST MOUNTED POLICE.		
Mrs. Joseph Howe, the equivalent of two months' pay of her late hus- band, Superintendent Joseph Howe.....		233 32
GOVERNMENT OF THE NORTH-WEST TERRITORIES.		
Registry offices—Further amount for assistance.....	3,000 00	
Expenditure connected with Lieutenant Governor's office—Further amount	2,000 00	
Schools, clerical assistance, printing, etc.—Additional amount.....	250,000 00	
		255,000 00

SCHEDULE—*Continued.*

SERVICE.	Amount.	Total.
GOVERNMENT OF THE YUKON TERRITORY.		
	\$ cts.	\$ cts.
Grant to recoup the Local Council of the Territory for expenditure incurred in connection with Eldorado Gusher.....	50,000 00	
Grant to recoup the Local Council of the Territory for part of its outlay on roads and bridges during fiscal year 1902-1903.....	126,642 50	
Grant to St. Mary's Hospital, Dawson.....	12,500 00	
Grant to Good Samaritan Hospital, Dawson.....	12,500 00	
Major Z. T. Wood, additional allowance for service as Acting Commissioner of the Territory, notwithstanding anything in the Civil Service Act.....	2,900 00	203,642 50
DOMINION LANDS.		
<i>(Chargeable to Capital.)</i>		
Surveys, examination of survey returns, printing of plans, etc.—Further amount.....		90,000 00
DOMINION LANDS.		
<i>(Chargeable to Income.)</i>		
Salaries of the outside service—Further amount.....	8,000 00	
Contingencies—Further amount.....	5,000 00	
Salaries of extra clerks at head office, and advertising—Further amount..	3,000 00	
Protection of timber, and tree planting—Further amount.....	5,500 00	21,500 00
MISCELLANEOUS.		
Unforeseen expenses.....	5,000 00	
Canadian Pacific Railway Co. for expenses in connection with the visit of Sir Edmund Barton, Prime Minister of Australia.....	1,020 59	
For all services under the Naturalization Act of 1902, according to the schedule of rates established by Order in Council.....	6,000 00	
Peterson, Tate & Co., to repay the amount of their deposit with interest at 3 per cent.....	56,940 00	
Expenses of Royal Commission appointed to make inquiry into recent industrial disputes in the province of British Columbia (including payments not exceeding \$5 each per day to members of the Civil Service for services in connection with this commission, notwithstanding anything in the Civil Service Act).....	10,000 00	
Expenses in connection with the commission to inquire into the Martineau defalcation.....	1,100 00	
Contribution to Canadian Law Library, London.....	250 00	
Expense of commission respecting the Tobacco Trade of Canada.....	2,718 72	
Boundary survey between Canada and the United States—Further amount	7,000 00	
To recoup the Hudson's Bay Co., for supplies furnished to Isle à la Crosse sufferers from flood.....	563 32	
To recoup the North-west Mounted Police for relief to distressed half-breeds.....	500 00	
Amos Barnes, claim <i>re</i> the purchase of certain buildings on lands situated on river lots, Manitoba.....	3,580 00	
To recoup the Government of the North-west Territories for expenses connected with the protection of the bridge across the Bow river at Canmore, N.W.T.....	3,000 00	
Casca Trading and Transportation Co., balance of account in connection with relief to miners in the Cassiar district, British Columbia.....	600 00	
Museum building at Banff, N.W.T., additional amount.....	1,000 00	
Expenditure connected with the opening up of a road from Teulon, Manitoba.....	15,000 00	
Expenses connected with the Alaska Boundary Commission.....	10,000 00	
To cover the late Thomas W. Middleton's shortages in connection with the Gold Commissioner's office at Dawson.....	5,243 14	
Miscellaneous printing.....	5,000 00	
Distribution of parliamentary documents.....	105 00	
Grant to the Canadian South Africa Memorial Association.....	6,000 00	140,620 77

## SCHEDULE—Concluded.

SERVICE.	Amount.	Total.
<b>COLLECTION OF REVENUE.</b>	\$ cts.	\$ cts.
<b>RAILWAYS AND CANALS.</b>		
<i>Railways.</i>		
Intercolonial—Operating expenses . . . . .	\$ 800,000 00	
" Widow of the late C. D. Thompson, gratuity . . . . .	266 67	
" Widow of the late W. G. Robertson, division freight agent at St. John, gratuity . . . . .	250 00	
	<u>\$ 800,516 67</u>	
<i>Canals.</i>		
Welland—Widow of Rod. Campbell, late lock master, gratuity . . . . .	\$ 94 00	
" M. Henry for year 1901-2, salary, inadvertently omitted from pay rolls, at \$25 per month . . . . .	300 00	
Chambly—Repairs to bridge No. 1 and wharf at Chambly Canton . . . . .	4,000 00	
Lachine—Staff and repairs . . . . .	9,440 00	
" Victor Lamothe, injured while in the discharge of his duties as lockman, pay for time lost . . . . .	35 26	
" R. Milloy, injured while in the discharge of his duties as lockman, pay for time lost . . . . .	12 67	
" Representatives of John P. Curran, draughtsman, gratuity . . . . .	150 00	
" Patrick Hart, injured while in the discharge of his duties as lockman, pay for time lost . . . . .	29 54	
Trent—Widow of the late Richard King, gratuity . . . . .	65 00	
	<u>14,126 47</u>	
		814,643 14
<b>TRADE AND COMMERCE.</b>		
Additional for administration of the Chinese Immigration Act. \$ . . . . .	200 00	
Law costs and other expenses connected with deferred payments of bounties on iron and steel . . . . .	3,879 39	
		4,079 39
<b>INSPECTION OF STAPLES.</b>		
Expenditure in connection with the inspection of grain and flour under the General Inspection and Manitoba Grain Acts . . . . .	\$ 16,000 00	
Law costs and expenses incurred in connection with the enforcement of the Manitoba Grain Act . . . . .	484 35	
	<u>16,484 35</u>	
		835,206 88
<b>UNPROVIDED ITEMS, 1901-2.</b>		
Unprovided items, 1901-2, as per Auditor General's Report, page C-4 . . . . .		200,635 65
<b>Total</b> . . . . .		<u>2,977,053 73</u>







## 3 EDWARD VII.

### CHAP. 4.

An Act for granting to His Majesty certain sums of money for the public service of the financial year ending the 30th June, 1904.

[Assented to 24th October, 1903.]

MOST GRACIOUS SOVEREIGN,

**W**HEREAS it appears by a message from His Excellency the Right Honourable Sir Gilbert John Elliot, Earl of Minto, Governor General of Canada, and the estimates accompanying the said message, that the sums hereinafter mentioned are required to defray certain expenses of the public service of Canada, not otherwise provided for, for the financial year ending the thirtieth day of June, one thousand nine hundred and four; and for other purposes connected with the public service: May it therefore please Your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, that:—

Preamble.

**1.** This Act may be cited as *The Appropriation Act (No. 4)*, Short title. 1903.

**2.** From and out of the Consolidated Revenue Fund there may be paid and applied a sum not exceeding in the whole twenty-nine million three hundred and eighty-five thousand six hundred and eighty-five dollars and forty-six cents, towards defraying the several charges and expenses of the public service, from the first day of July, in the year of Our Lord one thousand nine hundred and three, to the thirtieth day of June, in the year of Our Lord one thousand nine hundred and four, not otherwise provided for, and set forth in the schedule to this Act.

\$29,385,685.46  
granted for  
financial year  
1903-1904.

**3.** The amounts granted by this Act for the Government of the North-west Territories shall not be deemed to have lapsed if not expended within the year for which they are granted.

Special  
provision as  
to N.-W. T.

Account to be  
rendered in  
detail.

4. A detailed account of the sums expended under the authority of this Act shall be laid before the House of Commons of Canada during the first fifteen days of the then next session of Parliament.

## SCHEDULE.

SUMS granted to His Majesty by this Act for the financial year ending 30th June, 1904, and the purposes for which they are granted.

SERVICE.	Amount.	Total.
<b>CHARGES OF MANAGEMENT.</b>		
	\$ cts.	\$ cts.
Office of the Assistant Receiver General—Toronto.....	5,680 00	
" " " Montreal.....	4,520 00	
" " " Halifax.....	6,080 00	
" " " St. John.....	5,360 00	
" " " Winnipeg.....	4,800 00	
" " " Victoria.....	3,560 00	
" " " Charlottetown.....	3,840 00	
Country savings banks—		
Salaries.....	4,640 00	
Contingencies.....	1,000 00	
Commission for payment of interest on public debt, purchase of sinking funds and transfer of stock.....	27,355 04	
Brokerage on purchase of sinking funds.....	5,280 00	
Expenses in connection with the issue and redemption of Dominion notes, Printing Dominion notes.....	8,000 00	
" " Further amount.....	64,000 00	
English bill stamps, postage, etc.....	30,000 00	
Printing, advertising, inspection, expressage and miscellaneous charges, including commutation of stamp duty.....	8,480 00	
Expenses in connection with the conversion of the Public Debt. Payments may be made to members of the civil service, notwithstanding anything in the Civil Service or Superannuation Acts.....	11,520 00	
	5,000 00	199,115 04
<b>CIVIL GOVERNMENT.</b>		
Department of Geological Survey, salaries.....\$ 43,920 00		
Salary of one 2nd class clerk.....	400 00	
A. P. Low, a technical officer, 12 months' salary from July 1.....	2,000 00	
Additional amount for the salary of one technical officer ..	350 00	
	46,670 00	
Post Office Department, salaries.....	\$179,584 00	
To transfer from the temporary to the permanent staff, 9 messengers and packers, inside service, employed under the provisions of the amendment to the Post Office Act, 1902.....	5,814 00	
Provisional allowance at the rate of \$10 a month to J. W. T. Dickson, of the Dead Letter Office, Winnipeg, notwithstanding anything in the Civil Service Act.....	120 00	
To provide for eight additional junior 2nd class clerkships in the inside service.....	5,800 00	
O. Higman, for investigating the pneumatic tube service in the United States and reporting thereon, notwithstanding anything in the Civil Service Act.....	324 15	
To increase the salary of F. H. Smith, 1st class clerk, to \$1,750, from 1st July, 1903, and arrears from 1st July, 1901, notwithstanding anything in the Civil Service Act.....	150 00	
Contingencies, including \$50 to W. Cooch for the technical work of inspecting letter carriers' boots, and \$120 to E. L. Foley, a provisional allowance, notwithstanding anything in the Civil Service Act.....	52,456 00	
	244,248 15	

## SCHEDULE—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
<b>CIVIL GOVERNMENT—Continued.</b>		
Department of Trade and Commerce, salaries, including Mrs. S. S. Cox at \$650, notwithstanding anything in the Civil Service Act. ....	\$ 10,240 00	
Contingencies, notwithstanding anything in the Civil Service Act. ....	5,600 00	15,840 00
Department of Labour, salaries, the whole or any portion of which may be paid, notwithstanding anything in the Civil Service Act. ....	\$ 12,240 00	
Contingencies, notwithstanding anything in the Civil Service Act. ....	1,000 00	13,240 00
High Commissioner's Office, London, salaries . . . . .	\$ 7,240 00	
To increase the salary of C. J. Taylor to \$1,700, notwithstanding anything in the Civil Service Act. ....	100 00	
E. Churchouse, a junior 2nd class clerk, notwithstanding anything in the Civil Service Act. ....	750 00	
Contingencies . . . . .	14,720 00	22,810 00
Department of Railways and Canals, salaries, to provide for an additional 2nd class clerk. ....	700 00	
Department of Indian Affairs, contingencies, further amount. ....	3,500 00	
North-west Mounted Police, salaries, to pay A. V. Joyce, junior 2nd class clerk, for one optional subject. . . . .	\$ 50 00	
For the salary of a 2nd class clerk, E. F. Drake, notwithstanding anything in the Civil Service Act. ....	1,200 00	1,250 00
Department of the Secretary of State, salaries, for three additional junior 2nd class clerkships. ....		2,100 00
Department of Public Printing and Stationery, salaries, for the salary of one 2nd class clerk, John Hughes, notwithstanding anything in the Civil Service Act. ....		100 00
Department of Militia and Defence, salaries, to increase the salary of Major Benoit to \$2,400, notwithstanding anything in the Civil Service Act. ....	\$ 200 00	
To provide for the appointment of one junior 2nd class clerk, W. Ranstead, at \$300 per annum, notwithstanding anything in the Civil Service Act. . . . .	800 00	1,000 00
Department of Public Works, salaries, for arrears of salary due to the chief architect, November 1, 1897, to June 30, 1903, at \$3,200 per annum, together with \$200 short-estimated in his salary for 1903-04. ....	\$ 1,333 33	
For the promotion of E. J. Smith and Geo. F. Hennessey to the 2nd class; their salaries being already provided for in the junior 2nd class at \$1,000. ....	200 00	
For the appointment of N. M. Mathé as 2nd class clerk. . .	1,100 00	
To promote J. B. Hunter to a 1st class clerkship, notwithstanding anything in the Civil Service Act. ....	300 00	
Contingencies—Further amount. ....	5,000 00	7,933 33
Department of the Interior, salaries, amount under-estimated in two junior 2nd class clerkships. ....	\$ 212 50	
Four additional junior 2nd class clerks; one at \$650 and three at \$600 each. ....	2,450 00	
Salaries and expenses of Mines branch. ....	10,000 00	12,662 50
Department of Marine and Fisheries—		
To increase the salaries of R. N. Venning \$150, F. H. Cunningham \$100, B. H. Fraser \$150, J. F. Fraser \$450, F. Anderson \$150, J. M. Lalonde \$150, C. W. White \$100, J. M. McCharles \$200, notwithstanding anything in the Civil Service Act. ....	\$ 1,450 00	



## SCHEDULE—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
<b>CIVIL GOVERNMENT—Concluded.</b>		
Department of Marine and Fisheries— <i>Concluded.</i>		
To promote Jules d'E. Clement from a 2nd class to a 1st class clerkship, notwithstanding anything in the Civil Service Act .....	\$ 300 00	
To promote M. C. Doyle from a junior 2nd to a 2nd class clerkship.....	100 00	
Salary for A. M. Ross as a junior 2nd class clerk, notwithstanding anything in the Civil Service Act.....	900 00	
Salary of F. H. Houde as a junior 2nd class clerk.....	600 00	
	3,350 00	
Department of Justice—		
To increase the salaries of A. Power and G. L. B. Fraser by \$200 each, notwithstanding anything in the Civil Service Act .....	\$ 400 00	
To increase the salary of Miss M. Quain to \$500, notwithstanding anything in the Civil Service Act. ....	100 00	
To increase the salary of A. J. McGillivray, notwithstanding anything in the Civil Service Act .....	50 00	
To provide for employment of Thomas Morris as temporary clerk at \$600, notwithstanding anything in the Civil Service Act.....	600 00	
	1,150 00	
Office of the Auditor General—To promote B. W. Sherwood, W. Tucker, S. S. Allen and E. S. Johnston to the 2nd class—\$800, less \$512.50 available from total sum already provided for.....	287 50	
Department of Agriculture—J. P. Beaudoin, to be appointed a junior 2nd class clerk, an additional amount for an optional subject in which he has passed.....	50 00	
Department of Customs—Salary of R. R. Farrow, accountant, at \$2,150, notwithstanding anything in the Civil Service Act.....	2,150 00	
Departments generally, contingencies, care and cleaning of departmental buildings, including \$100 for firing gun at noon, which amount may be paid to a member of the civil service, notwithstanding anything in the Civil Service Act.....	23,200 00	
Salaries of examiners and other expenses under the Civil Service Act, including \$250 for the secretary and \$100 for a clerk, which amount may be paid to any members of the civil service, notwithstanding anything in the Civil Service Act.....	2,000 00	
		404,241 48
<b>ADMINISTRATION OF JUSTICE.</b>		
<b>SUPREME COURT OF CANADA.</b>		
Salary of E. R. A. Taschereau.....	\$ 1,200 00	
To assist L. W. Coutlee in publication of digest of judgments of the court.....	500 00	
	1,700 00	
<b>MISCELLANEOUS.</b>		
Miscellaneous expenditure, including North-west Territories, further amount .....	\$ 5,000 00	
Salary for one additional judge of the Supreme Court of the North-west Territories.....	4,000 00	
Salary for the judge of the Court of Divorce and Matrimonial causes, Nova Scotia. ....	500 00	
Salary for a junior judge of the District of Nipissing, Ontario	2,000 00	
To increase the salary of the judge of the county court for District No. 7, Nova Scotia, to \$3,000.....	600 00	
To supplement the retiring allowance of Mr. Justice Henry.	1,333 34	
		13,433 34

SCHEDULE—*Continued.*

SERVICE.	Amount.	Total.
ADMINISTRATION OF JUSTICE— <i>Concluded.</i>	\$ cts.	\$ cts.
YUKON TERRITORY.		
Books for Yukon law library . . . . .	2,000 00	17,133 34
DOMINION POLICE.		
Widow of late Constable W. W. Watters, gratuity . . . . .		115 58
LEGISLATION.		
SENATE.		
Representatives of the late Senator Gillmor the balance of his sessional indemnity. (This sum to be paid as the Treasury Board may direct) . . . . .	1,000 00	
HOUSE OF COMMONS.		
Annual increase to 10 clerks at \$50 each . . . . .	\$ 500 00	
To increase the salaries of the following officers and clerks :—		
The Clerk Assistant . . . . .	200 00	
Assistant Law Clerk . . . . .	200 00	
Postmaster . . . . .	100 00	
Assistant French Journal Clerk . . . . .	100 00	
Clerk of Committee on Agriculture . . . . .	100 00	
Junior 2nd class clerk (Mr. Jones) . . . . .	100 00	
The Clerk and the Assistant Clerk of Routine and Records, \$100 each . . . . .	200 00	
To provide for the promotion of W. Cairns, \$100; F. X. Lemieux, \$100; T. S. Howe, \$150 and of R. Tremblay, \$200 . . . . .	550 00	
Additional amount for—		
Sessional clerks . . . . .	11,318 00	
French translation during Session . . . . .	1,840 00	
Two expresses between House and Government Printing Bureau . . . . .	552 00	
Debates—Additional amount . . . . .	4,954 00	
Sessional messengers . . . . .	11,500 00	
Pages . . . . .	2,208 00	
Servants, bathrooms, washrooms, etc. . . . .	1,380 00	
Sessional charwomen . . . . .	1,058 00	
Attendant at electric light . . . . .	115 00	
Tradesmen and others . . . . .	1,000 00	
Leather trunks—Additional amount . . . . .	375 00	
Balance of sessional indemnity of the late Donald Farquharson, \$1,024, and of late Pierre R. Martineau, \$383; these sums to be paid as the Treasury Board may direct . . . . .	1,407 00	
To increase the allowance for the present Session for clerical assistance to the leader of the Opposition to the equivalent of the pay of a sessional clerk . . . . .	250 00	
Further amount for—		
Sessional clerks . . . . .	2,330 00	
French translation during session . . . . .	400 00	
Two expresses between House and Government Printing Bureau . . . . .	120 00	
Debates—Amanuenses . . . . .	560 00	
Sessional messengers . . . . .	2,500 00	
Pages . . . . .	480 00	
Servants, bathrooms, washrooms, etc. . . . .	300 00	
Sessional charwomen . . . . .	230 00	
Attendant at electric light . . . . .	25 00	
Tradesmen and others . . . . .	500 00	
Balance of sessional indemnity of the late Henry Cargill; to be paid as the Treasury Board may direct . . . . .	146 60	
	47,598 60	

## SCHEDULE—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
<b>LEGISLATION—Concluded.</b>		
<b>LIBRARY OF PARLIAMENT.</b>		
Salary of a chief clerk, L. P. Sylvain .....	\$ 1,800 00	
Salary of a 1st class clerk, John Smith.....	1,400 00	
One 1st class clerk, notwithstanding anything in the Civil Service Act.....	1,800 00	
Salary of a junior 2nd class clerk, C. A. Pothier.....	750 00	
Increase of salary of Mrs. A. Lampman, junior second class clerk, from \$600 to \$800.....	200 00	
Two sessional messengers, at \$2.50 per diem, each.....	1,320 00	
	7,270 00	
<b>ELECTIONS.</b>		
Account of the <i>Prince Albert Advocate</i> for advertising the proclamation and notice of the Saskatchewan election of 1900, notwithstanding anything in the Dominion Elections Act....	297 48	
		56,166 08
<b>ARTS, AGRICULTURE AND STATISTICS.</b>		
Census .....	28,000 00	
Grant to the Toronto Industrial Exhibition Association to assist in the holding of a National Canadian Exhibition in Toronto during the year 1903.....	50,000 00	
Fumigating stations, further amount.....	500 00	
Archives, further amount .....	3,000 00	
Towards compiling historical data in regard to the Acadian families in Canada.....	1,400 00	
Renewing and improving Canadian exhibit at Imperial Institute, London, further amount .....	5,000 00	
		87,900 00
<b>IMMIGRATION.</b>		
Salaries of agents and employees in Canada, Great Britain and foreign countries .....	88,000 00	
Contingencies in Canadian, British and foreign agencies, and general immigration expenses, including salaries of extra clerks at head office..	386,400 00	
Women's National Immigration Society, Montreal.....	800 00	
Girls' Home of Welcome, Winnipeg.....	800 00	
Widow of the late Joseph Samson, an immigration employee at Quebec, gratuity .....	114 06	
		476,114 06
<b>PENSIONS.</b>		
Mrs. Delaney.....	320 00	
Miss Harriet Fraser.....	200 00	
Lady Lafontaine.....	2,700 00	
Account of the Fenian raid .....	1,920 00	
Compensation to pensioners in lieu of land.....	93 41	
Militiamen, on account of the rebellion of 1885, and active services generally.....	15,200 00	
		20,433 41
<b>SUPERANNUATION.</b>		
Extra allowance to Mr. Wallace, ex-postmaster at Victoria, B.C.....	192 00	
Arrears of superannuation allowance to ex-lockmaster W. J. Casselman, Williamsburg canals, from January 1, 1902, to June 30, 1903, at \$97.37 per annum.....	146 05	
To increase allowance for year ending June 30, 1904, to \$296.63, at which sum it shall hereafter be paid.....	97 37	
		435 42

## SCHEDULE—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
MILITIA.		
(Chargeable to Capital.)		
Purchase of ordnance, arms, rifle ranges, lands for military properties, reserve stores of clothing, equipment, etc., including \$75,000 for the manufacture at the Dominion arsenal of a reserve supply of ammunition .....		1,300,000 00
MILITIA.		
(Chargeable to Income.)		
Dominion arsenal.....	120,000 00	
Pay and allowances—Further amount for headquarters and district staff..	17,625 00	
Further amount to increase the permanent force to 1,500, notwithstanding anything in the Militia Act; authority being hereby granted for the above increase .....	28,000 00	
Further amount for Schools of Signalling and Musketry.....	10,000 00	
Paving streets in front of barracks, Winnipeg.....	9,134 00	
Provisions and supplies—Further amount .....	45,000 00	
Military survey—Required for work to be carried out by the Intelligence branch .....	10,000 00	
Military properties—To reimburse officers of the 4th P.E.I. Regiment of Artillery, for outlay in repairing orderly room building.....	545 43	
Site for drill shed at Hagersville.....	100 00	
Royal Military College—Further amount.....	5,000 00	
For a departmental library.....	1,000 00	
Yukon transportation claims.....	27,000 00	
Monument on the battlefield at Fort Erie.....	1,750 00	
Firemen at Fredericton, gratuity .....	50 00	
Sgt. Maj. Phillips, gratuity.....	784 75	
		275,989 18
RAILWAYS AND CANALS.		
(Chargeable to Capital.)		
RAILWAYS.		
Intercolonial.		
To increase accommodation at Sydney.....	\$ 77,600 00	
Original construction.....	1,600 00	
To strengthen bridges.....	132,080 00	
To increase accommodation at Lévis.....	57,600 00	
Air brakes to freight cars.....	20,000 00	
To exchange drawbars of freight cars.....	36,800 00	
New machinery for locomotive and car shops....	6,400 00	
To equip 10 passenger cars with Pintsch gas apparatus.....	6,400 00	
Rolling stock.....	327,000 00	
Increased accommodation at Stellarton.....	25,600 00	
New superstructure for Restigouche bridge....	98,400 00	
New superstructure for South-west Miramichi bridge.....	72,000 00	
Improvements at Point Tupper .....	6,000 00	
Yard for freight business at Rivière du Loup...	8,000 00	
To change air brakes of passenger cars to quick action brakes and apply air signals.....	1,600 00	
To extend freight car repair shop at Moncton..	22,000 00	
Engine house, machine shop, car shop, stores, office at Rivière du Loup.....	40,000 00	
Engine house, etc., at Chaudière Junction.....	40,000 00	
Increased accommodation at St. John.....	84,800 00	
To increase accommodation at Halifax.....	83,600 00	



## SCHEDULE—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
RAILWAYS AND CANALS—Continued.		
(Chargeable to Capital.)—Continued.		
RAILWAYS—Continued.		
Intercolonial—Concluded.		
To increase accommodation at Pictou.....	\$ 29,200 00	
Improvements at North Sydney.....	10,400 00	
Building a spur line of railway from I. C. R. station at Rivière Ouelle to the wharf on the St. Lawrence.....	21,600 00	
To increase accommodation at Moncton.....	71,200 00	
To equip passenger cars with vestibules.....	8,000 00	
Dwelling for agent at Eel River.....	1,440 00	
Increased accommodation at Amqui.....	4,000 00	
Increased accommodation at Ste. Flavie.....	76,000 00	
Towards improving ferry service at Strait of Canso.....	8,800 00	
Improvements at Nicolet.....	1,600 00	
Increased accommodation at Truro.....	60,000 00	
Improvements at Little Metis station and diverting public road.....	3,200 00	
To purchase power saw for sawing rails, etc....	920 00	
To increase water supply.....	3,200 00	
Additional sidings along line.....	63,500 00	
Double tracking parts of line.....	118,000 00	
Increased accommodation at St. John.....	5,000 00	
To increase accommodation at Halifax.....	125,000 00	
Increased accommodation and facilities along line	88,000 00	
Increased accommodation at Pictou.....	61,700 00	
Improvements at North Sydney.....	20,000 00	
Increased accommodation at Moncton.....	14,000 00	
Towards improving ferry service, Strait of Canso	66,400 00	
Improvements at St. Alexis.....	3,500 00	
Protection to Grand Narrows bridge.....	10,000 00	
New freight shed at Daveluyville.....	1,500 00	
New Glasgow, extension to freight shed and crane for loading platform.....	5,000 00	
Diversion of public road to eliminate a crossing at rail level between St. Cyrille and Drummondville..	1,000 00	
Metapedia—New station and other improvements.....	8,000 00	
New station at Windsor, N.S., provided that the railway companies using the station make arrangements satisfactory to the Governor in Council for payment by way of interest or rental of a reasonable proportion of the cost.....	10,000 00	
Steel rails and fastenings.....	580,000 00	
Rolling stock.....	590,000 00	
Dredging at Point Tupper—To pay M. Connolly interest on \$61,429.07 and \$16,424.09 at 6%.	5,162 61	
Engine house, etc., Chaudière Junction.....	33,500 00	
New machinery for locomotive and car shops...	9,000 00	
To compensate the Anchor Line for salvage services to ss. <i>Scotia</i> .....	16,072 23	
To dredge and blast rock at deep water terminus at Halifax.....	25,000 00	
	3,306,374 84	

## SCHEDULE—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
<b>RAILWAYS AND CANALS—Continued.</b>		
<i>(Chargeable to Capital.)—Continued.</i>		
<b>RAILWAYS—Concluded.</b>		
<i>Prince Edward Island.</i>		
To widen wharf and provide coal shed at Summerside.....	\$ 1,600 00	
Murray Harbour branch and Hillsboro' bridge..	600,000 00	
To increase accommodation at Kensington....	800 00	
To increase accommodation at Hunter River...	800 00	
To straighten line at Curtes' Creek.....	12,000 00	
Baggage room at Souris.....	320 00	
To improve the water service.....	19,200 00	
To apply Westinghouse air brakes and air signals	17,280 00	
Additional accommodation at Kinkour.....	640 00	
New station at Northam and Richmond.....	800 00	
Murray Harbour branch and Hillsboro' bridge..	480,000 00	
To increase accommodation at Charlottetown...	87,000 00	
New station at Alberton.....	3,000 00	
Station at Fredericton.....	500 00	
Survey to Montague bridge.....	2,000 00	
To straighten line at Blueshank.....	4,000 00	
Station and land at Albany.....	600 00	
	<u>1,230,540 00</u>	
<i>Canadian Pacific.</i>		
To compensate the following municipalities for loss sustained in consequence of the amalgamation of the Canada Central Railway Company with the Brockville and Ottawa Railway Company, and also owing to a change in the route of the Canada Central Railway:—		
Renfrew.....	\$ 22,500 00	
Horton.....	5,625 00	
Admaston.....	3,750 00	
	<u>31,875 00</u>	
<i>National Transcontinental.</i>		
Surveys and other expenses.....	500,000 00	
	<u>5,068,789 84</u>	
<b>CANALS.</b>		
Cornwall—Enlargement.....	\$ 64,000 00	
To complete electrical equipment for operating lock-gates and workshops.....	56,000 00	
Farran's Point—Enlargement.....	9,600 00	
Enlargement.....	6,700 00	
Rapide Plat—Enlargement.....	20,000 00	
Galops—Enlargement.....	102,400 00	
Enlargement.....	125,000 00	
North Channel—Forming channel and dam.....	80,000 00	
To complete the North Channel, and dam between Galops and Adams Island.....	20,000 00	
Galops Rapids—To complete channel.....	75,000 00	
St. Lawrence River and canals—Surveys, lifting boulders, etc..	28,000 00	
Welland—Electric lighting plant.....	44,000 00	
To remove obstructions and make other improvements..	173,600 00	
Improvements at Port Colborne entrance.....	240,000 00	
To deepen portion of summit level between Port Colborne and Thorold.....	40,000 00	
To deepen portions of long level (or summit level)....	50,000 00	
To complete rock cut, Port Colborne to Humberstone...	20,000 00	

## SCHEDULE—Continued.

SERVICE.	Amount.	Total.
RAILWAYS AND CANALS—Continued.	\$ cts.	\$ cts.
(Chargeable to Capital.)—Concluded.		
CANALS—Concluded.		
Welland—Con.		
To provide an electric lighting plant.....	\$ 45,000 00	
To lower mitre sills of guard gate.....	11,000 00	
To provide elevator foundations at Port Colborne.....	40,000 00	
Trent—Construction.....	360,000 00	
Messrs. Corry and Laverdure, interest on increased prices awarded them by Messrs. Hobson, Surtees and Brophy as arbitrators, from the dates the several quantities were returned in estimates and paid at original prices up to July 1, 1903, at 5 p.c. per annum—\$26,533.14. Interest on one-half cost of arbitration, \$4,419, viz., \$2,209.50 from date of payment of same by them, January 21, 1902, to July 1, 1903, at 5 per cent, \$159.20; also one-half cost of arbitration, \$2,209.50.....	28,901 84	
Lachine—Enlargement and improvements, pontoon gates....	116,800 00	
Slope walls.....	17,600 00	
Towards installing electrical appliances for operating gates, weirs and bridges.....	10,000 00	
Lock gate protection.....	11,000 00	
Lake St. Louis—Hydrographic survey, sweeping channel, removing boulders, etc.....	6,280 00	
Sault Ste. Marie—Construction.....	75,200 00	
Soulanges—Construction and equipment.....	8,000 00	
Construction and equipment.....	15,000 00	
George Goodwin, for work in connection with sections 4, 5, 6 and 7.....	55,717 80	
George Goodwin, interest at 5%.....	18,108 28	
J. & M. O'Leary, interest on \$17,467.28 from March 1, 1900, to August 28, 1903, at 5 per cent, \$3,050.79, and interest on \$3,943.50 from March 1, 1900, to August 13, 1903, at 5 per cent, \$680.66.....	3,731 45	
Murray—To purchase house from W. H. Johnson.....	750 00	
Williamsburg canals—Gate lifter.....	10,000 00	
	1,987,389 37	7,056,179 21
RAILWAYS AND CANALS.		
(Chargeable to Income.)		
CANALS.		
Rideau.		
To rebuild swing bridge across the upper lock at Hog's Back (steel span).....	\$ 2,000 00	
To rebuild lock-master's house at Kingston Mills	1,280 00	
Swing bridge over canal on line of Concession street, Ottawa.....	8,500 00	
	\$ 11,780 00	
Welland.		
Stone protection to banks of old canal.....	\$ 4,000 00	
To change valves and hanging gear of new canal lock gates.....	12,000 00	
To remodel gate, yard and repair shops at Port Dalhousie.....	4,000 00	
To survey and delimit Government lands along canal.....	1,600 00	
To improve drainage along feeder.....	1,200 00	
To repair foundations of Port Maitland lock....	5,000 00	
	27,800 00	

## SCHEDULE—Continued.

SERVICE.	Amount.	Total.
RAILWAYS AND CANALS—Continued.	\$ cts.	\$ cts.
(Chargeable to Income.)--Continued.		
CANALS—Continued.		
Culbute.		
Damages by flooding caused by dams of the canal.....	\$ 2,315 00	
Lachine.		
To renew masonry wall, basin No. 2 .....	\$ 5,600 00	
Repairs to old locks Nos. 1 and 2 .....	80,000 00	
Repairs to buildings.....	3,000 00	
To complete work of paving Mill street.....	33,000 00	
	121,600 00	
Chambly.		
Electric station and by-wash, Ste. Thérèse ....	\$ 4,800 00	
Wall to prevent land damages.....	400 00	
To extend and repair wall at head, Ste. Thérèse Island.....	900 00	
To macadamize 2½ miles of road, providing the municipality undertakes to maintain it after- wards.....	3,000 00	
To rebuild culvert at Little River, Iroquois. ....	8,000 00	
Water supply at shops.....	400 00	
Renewing bridges 7 and 8 .....	5,000 00	
	22,500 00	
Lake St. Francis.		
To complete protection south side.....	2,200 00	
St. Ours Lock.		
Stop logs.....	\$ 800 00	
Landing wharfs. ....	1,280 00	
To complete landing wharfs .....	4,400 00	
	6,480 00	
Carillon and Grenville.		
Guide pier.....	18,400 00	
Trent.		
To build a new entrance pier at Peterboro'....	\$ 1,600 00	
To build entrance pier at Burleigh .....	1,200 00	
To build entrance pier at Lovesick.....	1,200 00	
To dredge shoals between Peterboro' and Hee- ley's Falls....	2,800 00	
To dredge shoals at Ketchawana and Buckhorn Lake.....	2,800 00	
Rebuilding dam at Peterboro'.....	4,800 00	
Contribution towards construction of bridge at Gannon's Narrows .....	1,000 00	
Towards building of road between Lindsay and Fenelon Falls.....	2,000 00	
	17,400 00	



## SCHEDULE—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	cts.
RAILWAYS AND CANALS—Continued.		
(Chargeable to Income.)—Continued.		
CANALS—Concluded.		
Quebec.		
Re-marking boundaries, making surveys, plans, etc., on Quebec canals.....	\$ 1,500 00	
Soulanges.		
To repair breach in bank between locks 1 and 2.....	15,000 00	
Williamsburg.		
To build a working scow.....	2,000 00	
St. Peters.		
To renew works and perform dredging.....	\$ 800 00	
To renew works and perform dredging.....	1,500 00	
	2,300 00	
Murray.		
For a wire fencing and land plan.....	3,000 00	
	254,275 00	
MISCELLANEOUS.		
Miscellaneous works not provided for.....	\$ 4,000 00	
Arbitrations and awards.....	3,200 00	
Surveys and inspection—Canals.....	2,400 00	
" " Railways.....	14,400 00	
Railway statistics, including clerical assistance, notwith- standing anything in the Civil Service Act.....	2,000 00	
Salaries of extra clerks, copyists and messengers, other than those who have passed the Civil Service examination, notwithstanding anything in the Civil Service Act.....	2,400 00	
Salaries of engineers, draughtsmen, extra clerks and messen- gers, notwithstanding anything in the Civil Service Act.	23,200 00	
Reporting before the Railway Committee of the Privy Coun- cil and before the Minister .....	400 00	
Cost of litigation in connection with railways and canals...	4,800 00	
Subscription to International Railway Congress at Brussels.	77 87	
Governor General's car, repairs and alterations.....	1,600 00	
Expenses in connection with investigations into railway accidents in Canada.....	10,000 00	
	68,477 87	
RAILWAY COMMISSION.		
Salaries and expenses in connection with the Railway Commission of Canada, in addition to statutory provision.....	40,000 00	

362,752 87

SCHEDULE—*Continued.*

SERVICE.	Amount.	Total.
PUBLIC WORKS.	\$ cts.	\$ cts.
(Chargeable to Capital.)		
PUBLIC BUILDINGS.		
Ontario.		
Ottawa Parliament building—Additional accommodation, etc. \$ 7,000 00		
Ottawa military buildings—Military store—Balance due contractors . . . . . 1,522 62		
Ottawa public buildings—Further amount for Victoria Memorial Museum and other buildings. . . . . 100,000 00		
	108,522 62	
HARBOURS AND RIVERS.		
Ontario.		
Port Arthur and Fort William—Additional dredging. . . . . \$ 75,000 00		
Kingston graving dock—Amount of award made in favour of contractors Connolly & Co., by Mr. Justice Burbidge, July 2, 1896, under Orders in Council of January 29, and May 7, 1896, together with price of steam derrick purchased from said firm, interest thereon to be paid at the same rates as that received by the Government on its counter claims against Connolly & Co. . . . . 46,096 12		
	121,096 12	
TRANSPORTATION FACILITIES.		
Port Colborne harbour improvements—South-eastern breakwater. . . . .	25,000 00	
		254,618 74
PUBLIC WORKS.		
(Chargeable to Income.)		
PUBLIC BUILDINGS.		
New Brunswick.		
Campbellton public building. . . . . \$ 5,000 00		
Fredericton military buildings—New officers' stables. . . . . 2,400 00		
Fredericton military buildings—Sergeant-major's quarters . . . . . 2,300 00		
Moncton public building—Improvements. . . . . 1,200 00		
Newcastle public building—Improvements . . . . . 800 00		
St. John immigrant building . . . . . 10,000 00		
St. John quarantine station—Water service, etc. 7,000 00		
St. John drill hall. . . . . 10,000 00		
Tracadie lazaretto—Improvements, etc. . . . . 1,500 00		
Woodstock—Armoury and gun shed . . . . . 5,000 00		
Woodstock public building—Improvements. . . . . 3,900 00		
	\$ 49,100 00	
Nova Scotia.		
Sydney Mines—Public building . . . . . \$ 8,000 00		
Halifax quarantine station, Lawlor's Island—Improvements, renewals, repairs, etc. . . . . 4,500 00		
Halifax—New public building. . . . . 20,000 00		
Halifax immigration building—Additional story over the one story portion, etc. . . . . 11,000 00		
Digby public building—Improvements. . . . . 1,800 00		
Antigonish—New fittings for post office. . . . . 1,500 00		
Sydney—Addition to public building. . . . . 10,000 00		

## SCHEDULE—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
PUBLIC WORKS—Continued.		
(Chargeable to Income.)—Continued.		
PUBLIC BUILDINGS—Continued.		
Nova Scotia—Concluded.		
North Sydney public building—Alterations to post office .....	\$ 1,100 00	
Springhill public building—Repairs.....	7,000 00	
		\$ 64,900 00
Prince Edward Island.		
Charlottetown armoury—Additional accommodation for orderly rooms, etc. ....	\$ 2,550 00	
Charlottetown Dominion building—Improvements, additions, etc .....	12,000 00	
		14,550 00
Quebec,		
Acton Vale public building.....	\$ 6,000 00	
Lévis—Public building .....	5,000 00	
Longueuil public building.....	5,000 00	
Magog public building .....	5,000 00	
Montreal examining warehouse—additions and alterations, including fittings, furniture, etc .....	20,000 00	
Montreal new postal station—Fittings and furniture.....	5,000 00	
Montreal—Barracks for permanent corps. ....	20,000 00	
Montmagny public building .....	6,000 00	
Montreal post office—Improvements .....	13,000 00	
Montreal custom house—New sidewalk and repairing and painting building.....	5,500 00	
Quebec marine and fishery stores building on King's wharf—Wiring for electric light and fixtures, etc. ....	1,200 00	
Quebec Citadel—Drill shed for school of gunnery .....	10,000 00	
Quebec military buildings—Main store building at Dominion arsenal.....	11,000 00	
Quebec drill hall—Addition to building.....	20,000 00	
Quebec—Hospital for treatment of immigrants suffering from trachoma and kindred diseases .....	12,000 00	
Quebec military buildings—New iron foundry..	4,800 00	
Quebec military buildings—New artillery workshops.....	3,000 00	
Sherbrooke drill hall.....	10,000 00	
St. Louis de Mile End public building .....	10,000 00	
St. Johns public building .....	6,000 00	
St. Hyacinthe drill hall.....	15,000 00	
St. Johns examining warehouse.....	3,500 00	
Three Rivers custom-house—New heating apparatus, etc.....	1,600 00	
Three Rivers custom-house—Retaining wall.....	2,500 00	
Terrebonne public building.....	5,000 00	
		206,100 00
Ontario.		
Kingston custom-house—Repairs, etc .....	\$ 2,300 00	
Almonte public building—Improvements. ....	1,000 00	
Cornwall public building—Repairs, renewals, etc .....	1,500 00	
Belleville—Armoury .....	10,000 00	
Peterborough—Armoury .....	10,000 00	
Guelph—Armoury .....	10,000 00	
Chatham—Armoury .....	10,000 00	

SCHEDULE—*Continued.*

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
<b>PUBLIC WORKS—<i>Continued.</i></b>		
<i>(Chargeable to Income.)—Continued.</i>		
<b>PUBLIC BUILDINGS—<i>Continued.</i></b>		
<i>Ontario—Continued.</i>		
Toronto drill hall—Additional accommodation for new corps .....	\$ 20,000 00	
Toronto military buildings—Building for storage of wagons, etc., of Engineer Company.....	3,000 00	
Ottawa departmental buildings—west block—Overhauling heating apparatus, etc.....	6,000 00	
Rideau Hall and grounds—Repairs and improvements .....	4,500 00	
Ottawa departmental buildings—Steel drawers and rollers, shelves, etc.....	63,000 00	
Kingston Royal Military College—Drill hall....	6,000 00	
Toronto post office—Additional story over the rear one story part of the building, furniture, fittings, etc. ....	20,000 00	
St. Catharines drill hall .....	20,000 00	
Sault Ste. Marie public building.....	25,000 00	
Woodstock public building. ....	5,500 00	
Brantford drill hall—Additions and alterations.	15,000 00	
St. Mary's public building.....	8,000 00	
Oshawa public building.....	8,000 00	
Toronto—Additional postal station.....	25,000 00	
Deseronto public building—Balance due on contract, etc.....	1,500 00	
Bridgeburg public building.....	5,000 00	
Hamilton public building—Alterations and improvements for inland revenue purposes....	5,000 00	
Windsor public building—Repairs, improvements, etc.....	1,300 00	
Arnprior public building—Improvements. ....	700 00	
Kingston Royal Military College—Addition to building.....	5,000 00	
Pictou public building—To complete. ....	1,000 00	
Ottawa departmental buildings—New elevator for west block.....	6,000 00	
Toronto drill hall and armouries—Contribution towards paving Armoury street with brick and laying a concrete sidewalk on University street. ....	2,645 00	
Toronto military buildings—Magazine.....	3,000 00	
London military buildings—Magazine.....	3,000 00	
Port Hope public building—Improvements, repairs, etc. ....	1,500 00	
Windsor public building—Contribution towards paving with asphalt blocks Onelette street north .....	792 00	
Ottawa public buildings—New coal shed. ....	10,000 00	
Ottawa post office and custom-house—Improvements .....	16,000 00	
Kingston Royal Military College—Stable.....	5,000 00	
Berlin public building—Improvements.....	9,000 00	
Hamilton public building—Improvements ..	3,400 00	
Sarnia public building. ....	13,800 00	
Toronto examining warehouse—Addition to....	25,000 00	
Dundas drill hall.....	6,600 00	
Cobourg—Improvements .....	5,000 00	
Kingston—Barracks for Royal Canadian Field Artillery .....	25,000 00	
Hawkesbury public building.....	5,000 00	



## SCHEDULE—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
PUBLIC WORKS—Continued.		
(Chargeable to Income.)—Continued.		
PUBLIC BUILDINGS—Continued.		
Ontario—Concluded.		
Ottawa public buildings—Paving in front of Parliament building, tar macadam.....	\$ 6,900 00	
Wingham—Public building.....	8,000 00	
Stratford—Armoury.....	10,000 00	
Woodstock—Armoury.....	10,000 00	
Toronto Assistant Receiver General's office—Burglar-proof safe.....	2,200 00	
Ottawa printing bureau—Fire-proof addition for storing standing matter.....	7,000 00	
	<u>\$ 478,137 00</u>	
Manitoba.		
Winnipeg—District military stores building....	\$ 10,000 00	
Winnipeg—New immigration building and postal station.....	60,000 00	
Winnipeg—Addition to public building.....	40,000 00	
East Selkirk immigration building—Repairs, etc.	2,600 00	
Winnipeg military buildings—Quarters for non-commissioned officers, including guard room, etc. ....	6,000 00	
Winnipeg military buildings—Magazine.....	3,000 00	
	<u>\$ 121,600 00</u>	
North-west Territories.		
Prince Albert land and registry office—New vault, alterations, etc.....	\$ 2,000 00	
Regina—Improvements to post office.....	580 00	
Regina immigrant building.....	4,500 00	
Edmonton jail.....	35,000 00	
Calgary—Addition to examining warehouse, changes and additions to post office fittings, etc. ....	8,000 00	
Prince Albert court-house and post office. ....	10,000 00	
Moosejaw—Public building.....	5,000 00	
Barracks for permanent corps (Strathcona Horse)	10,000 00	
	<u>75,080 00</u>	
British Columbia.		
Victoria—Old post office building—To pay city of Victoria for improvements on Government street in front of this building.....	\$ 510 00	
Victoria—Old post office building—Improvements, etc.....	1,700 00	
Nanaimo—Addition to public building.....	14,600 00	
Vancouver public building—Improvements.....	1,500 00	
Kamloops public building—Improvements.....	1,700 00	
New Westminster public building—Improvements.....	600 00	
Nelson public building—To complete.....	18,200 00	
Rossland public building—To complete.....	8,000 00	
Vancouver—Public building.....	60,000 00	
Williams Head quarantine station.....	6,000 00	
Rossland armoury.....	10,000 00	
	<u>122,810 00</u>	

## SCHEDULE—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
PUBLIC WORKS—Continued.		
(Chargeable to Income.)—Continued.		
PUBLIC BUILDINGS—Concluded.		
Yukon Territory.		
White Horse public building—Post office and customs fittings, etc. ....	\$ 5,000 00	
Generally.		
Public buildings generally .....	\$ 3,000 00	
Salaries of resident clerk of works, assistants, etc .....	2,500 00	
Construction of armouries .....	35,000 00	
Immigrant buildings .....	12,000 00	
	52,500 00	
Rents, Repairs, Furniture, Heating, etc.		
Ottawa public buildings—Heating, including salaries of engineers, firemen and watchmen. \$	20,000 00	
Dominion cattle quarantine stations—Renewals, repairs, improvements, etc. ....	5,000 00	
Rents, Dominion public buildings .....	13,000 00	
Yukon public buildings—Repairs, fuel, lighting, water service and caretakers' salaries. ....	37,500 00	
	75,500 00	
		1,265,277 00
HARBOURS AND RIVERS.		
New Brunswick.		
Anderson's Hollow—Improvements and repairs to wharf .....	\$ 1,440 00	
Bay du Vin—To complete reconstruction of wharf .....	400 00	
Campbellton ferry—Landing wharf .....	2,400 00	
" wharf—Extension and repairs. ....	14,400 00	
Campobello (Wilson's Beach)—To complete re- construction of breakwater .....	5,200 00	
Caraget—Wharf .....	44,000 00	
Chockfish River—Improvement of outlet .....	1,600 00	
Clifton (Stonehaven)—Repairs to breakwater .....	1,840 00	
Lord's Cove (Deer Island)—Completion of wharf .....	400 00	
Mispec harbour—Repairs to breakwater on west side .....	400 00	
Partridge Island—Repairs to eastern pier. ....	400 00	
Quaco—Repairs to piers, etc. ....	360 00	
Richibucto—To complete protection and exten- sion of north pier, etc. ....	2,000 00	
River St. John, including tributaries .....	12,800 00	
River St. John and tributaries—Contribution to local government, not to exceed one half the first cost of wharfs built by it in tidal waters .....	2,400 00	
River St. John—Wharf at Oromocto .....	4,800 00	
St. John harbour—Negro Point breakwater .....	16,000 00	
St. John harbour—Repairs to, and extension of protection work at base of Fort Dufferin .....	2,800 00	
Shippegan harbour—Repairs to protection works, etc., and additional groynes .....	880 00	
Shippegan—Wharf at Lameque .....	2,400 00	
Upper Salmon River—(Alma pier) .....	3,200 00	
Belliveau wharf—Repairs .....	750 00	

## SCHEDULE—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts
PUBLIC WORKS—Continued.		
(Chargeable to Income.)—Continued.		
HARBOURS AND RIVERS—Continued.		
New Brunswick—Concluded.		
Black Brook (Loggieville)—Additional wharf accommodation.....	\$ 5,000 00	
Buctouche wharf—Repairs.....	3,900 00	
Cape Tormentine—Improvements.....	10,000 00	
Campobello—Breakwater at Wilson's Beach....	3,000 00	
Campbellton wharf—Extension, repairs, etc....	10,000 00	
Chatham—Slip for lightships.....	5,000 00	
Cocagne wharf—Compensation to Captain Antoine Arsenault of the schooner <i>Morning Star</i> for damages to his vessel resulting from the failure of a defective mooring post.....	250 00	
Dalhousie—Harbour improvements.....	10,000 00	
Dipper harbour—Breakwater.....	10,000 00	
Grande Anse—Extension of breakwater, etc....	3,000 00	
Great Salmon River—Groyne and breakwater combined.....	4,300 00	
Hopewell Cape wharf—Repairs, etc....	5,800 00	
Hopewell Hill wharf—Improvements, etc....	850 00	
Miscou harbour—Wharf.....	5,000 00	
Mispec—Repairs to breakwater.....	550 00	
North Head breakwater wharf—Grand Manan..	10,000 00	
Petit Rocher—Breakwater.....	6,000 00	
Pointe du Chêne—Repairs to breakwater.....	4,000 00	
Richibucto harbour—Extension of north pier...	3,000 00	
River Upsalquitch—Improvement of waterway..	500 00	
Tracadie—Repairs to wharf.....	800 00	
Tynemouth Creek harbour—Raising pier on west side of entrance, and repairs to piers, groynes, etc.....	1,000 00	
	<hr/> \$222,820 00	
Nova Scotia.		
Abbott's Harbour—Addition to beach protection.....	\$ 700 00	
Abram's River—Wharf.....	1,000 00	
Bayfield harbour works—Repairs and improvements.....	6,850 00	
Baxter's Harbour—Reconstruction of breakwater.....	2,000 00	
Benoit Cove—Improvements to boat landing....	800 00	
Big Harbour (Port Bevis)—Wharf.....	3,700 00	
Boularderie Centre wharf—To complete approach	670 00	
Breton Cove—Boat landing.....	4,600 00	
Cow Bay Run—Breakwater to protect outlet of harbour.....	4,000 00	
Cheticamp Point—Wharf.....	11,500 00	
Caribou Island causeway—Protection of brush work by a talus of stone, etc.....	2,000 00	
Cheggoggin pier—Training dam.....	1,400 00	
Drum Head breakwater.....	1,000 00	
D'Escousse wharf—Repairs.....	400 00	
Donald's Head—Repairs to breakwater and new beach protection.....	3,000 00	
Duncan's Cove—Approach to wharf.....	200 00	
East Jeddore—Wharf.....	1,800 00	
East end Cape Sable Island—Entrance to boat harbour.....	2,200 00	
East Berlin breakwater—To complete.....	700 00	

SCHEDULE—*Continued.*

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
PUBLIC WORKS— <i>Continued.</i>		
(Chargeable to Income.)—Continued.		
HARBOURS AND RIVERS— <i>Continued.</i>		
<i>Nova Scotia—Continued.</i>		
East Bay wharf—To complete repairs . . . . .	\$ 300 00	
Frude's Point—Wharf . . . . .	1,500 00	
Five Islands wharf—Repairs . . . . .	700 00	
Finlay Point—Wharf . . . . .	2,000 00	
Fort Lawrence—Landing pier—Additional amount . . . . .	11,400 00	
Freeport—Landing pier . . . . .	3,500 00	
Grand Etang—To complete payments . . . . .	300 00	
Granite Village—Mooring pier . . . . .	1,000 00	
Gabarus—Extension to breakwater, etc . . . . .	6,000 00	
Glace Bay—Wharf . . . . .	15,000 00	
Grand Narrows—Extension to wharf . . . . .	3,100 00	
Georgeville wharf—Extension . . . . .	2,500 00	
Hall's Harbour—Improvements . . . . .	2,500 00	
Harbourville—Repairs to harbour works . . . . .	500 00	
Indian Harbour—Wharf . . . . .	1,200 00	
Indian Brook Flats wharf, Cape Sable Island—To complete . . . . .	1,400 00	
Inverness (Broad Cove) Mines harbour—Repairs to harbour works . . . . .	10,000 00	
Iona—Extension of wharf . . . . .	5,000 00	
Ketch Harbour—Dredging entrance channel . . . . .	1,000 00	
Kingsport—Reconstruction of pier . . . . .	3,000 00	
Lockeport—Beach protection . . . . .	400 00	
Lower West Pubnico—To complete wharf . . . . .	800 00	
Lower Washabuck—Beach protection . . . . .	400 00	
Little Harbour—To complete breakwater . . . . .	500 00	
Livingston's Cove—Repairs to breakwater . . . . .	1,800 00	
L'Ardoise—Extension of breakwater up to shore . . . . .	18,000 00	
McNair's Cove breakwater—Extension . . . . .	6,000 00	
McKay's Point—Wharf . . . . .	6,000 00	
McNutt's Island beach protection—Extension of, and repairs to works . . . . .	500 00	
Malignant Cove harbour—Repairs to works . . . . .	600 00	
Main à Dieu—Breakwater on west side of harbour . . . . .	2,000 00	
Margaretville—General repairs to breakwater . . . . .	500 00	
Middle River—Shear dam . . . . .	2,400 00	
Malagawatch—Improvement of boat channel . . . . .	300 00	
Musquodoboit harbour—To complete approach to wharf . . . . .	300 00	
Melbourne wharf—Improvements . . . . .	900 00	
Necum Teuch . . . . .	2,000 00	
North Gut, St. Anns—Wharf at Morrison's Point . . . . .	2,000 00	
North River, St. Anns—Repairs to wharf . . . . .	900 00	
Noel Wharf—Repairs . . . . .	1,000 00	
Ogden's Pond—To complete channel protection works, etc.—Additional amount . . . . .	800 00	
Oyster Pond beach protection—Spur at outer end . . . . .	450 00	
Poirierville (Lower D'Escousse) wharf . . . . .	1,500 00	
Prospect wharf . . . . .	1,000 00	
Piper's Cove—Wharf . . . . .	500 00	
Pleasant Bay—Boat harbour . . . . .	1,000 00	
Parrsboro landing pier—Improvements . . . . .	750 00	
Pugwash wharf—Repairs . . . . .	2,000 00	
Pickett's pier—Reconstruction of . . . . .	3,000 00	
Pictou Light beach—Reconstruction of protection works . . . . .	2,000 00	
Pembroke—Breakwater . . . . .	8,000 00	
Porter's Lake channel—To finish . . . . .	2,500 00	



## SCHEDULE.—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
PUBLIC WORKS—Continued.		
(Chargeable to Income.)—Continued.		
HARBOURS AND RIVERS—Continued.		
Nova Scotia—Concluded.		
Port Hood pier—Repairs.....	\$ 1,500 00	
Port Hood harbour—Closing of northern entrance with brush and stone work.....	20,000 00	
Port Greville—Extension of breakwater and repairs.....	12,750 00	
Port Howe—Wharf.....	2,000 00	
Port Latour breakwater.....	4,000 00	
Port George—Repairs to main breakwater, etc.....	2,100 00	
Port au Pique—Wharf.....	2,500 00	
Port Maitland—Extension of buttress on seaward side western breakwater, shorewards.....	1,500 00	
Red Head—Repairs to beach protection works.....	400 00	
Ragged Head boat harbour.....	200 00	
South Gut, St. Anns—Repairs to top of wharf.....	500 00	
Scott's Bay—Extension of breakwater, etc.....	2,000 00	
Swim's Point wharf—Extension of, etc.....	1,600 00	
Skinner's Cove—Boat channel and protection works.....	5,000 00	
Sydney quarantine station—Extension of and repairs to wharf.....	3,050 00	
Shag Harbour—To complete wharf.....	350 00	
Summerville wharf—Addition.....	1,600 00	
Spry Bay—Wharf.....	2,000 00	
Tracadie breakwater—Repairs to inshore end, etc.....	500 00	
Tenecape—Breakwater.....	7,500 00	
Upper Port Latour wharf—Extension.....	800 00	
Victoria Beach—Wharf.....	25,000 00	
Wallace harbour—Improvements and repairs.....	4,000 00	
Wentworth—Wharf.....	3,500 00	
West Woods harbour—Extension of wharf.....	700 00	
West Bay—Wharf.....	3,300 00	
West Arichat breakwater—Repairs.....	700 00	
Wedge Point—Extension of breakwater.....	4,500 00	
Wolfville wharf—Repairs.....	2,500 00	
White's Cove—Improvements to breakwater.....	2,000 00	
West Chezzetcook breakwater—Repairs, etc.....	3,000 00	
Windsor harbour—Sheer dams, training dykes and deepening River Avon.....	700 00	
Little Harbour—Breakwater opposite Arnold's Point.....	1,526 43	
Yarmouth bar—Repairs to protection works.....	1,500 00	
	\$315,996 43	
Prince Edward Island.		
Beach Point—Widening boat channel through bar.....	\$ 900 00	
Canoe Cove breakwater—Repairs, etc.....	500 00	
Cape Traverse or Carleton Head—Survey.....	3,000 00	
Cove Head harbour—Improvement of entrance channel.....	1,900 00	
Higgins Shore—Repairs to pier.....	1,000 00	
Lewis Point pier—Repairs.....	1,100 00	
New London harbour—Improvement of entrance channel to Clifton and French Rivers.....	4,000 00	
North Cardigan pier—Extension.....	4,000 00	
Point Prim Island—Wharf.....	5,000 00	

## SCHEDULE—Continued.

SERVICE	Amount.	Total.
	\$ cts.	\$ cts.
PUBLIC WORKS—Continued.		
(Chargeable to Income.)—Continued.		
HARBOURS AND RIVERS—Continued.		
Prince Edward Island—Concluded.		
Richmond Bay—Reconstruction of wharf near Grand River ferry.....	\$ 1,500 00	
Rustico harbour—Breakwater on Robinson's Island, south side of entrance to harbour...	6,000 00	
Summerside harbour—Breakwater.....	35,000 00	
West Point wharf—Repairs.....	2,000 00	
Wood Islands harbour—For additional work....	900 00	
	\$ 66,800 00	
Quebec.		
Amherst, Magdalen Islands—Breakwater at Point Shea.....	\$ 3,200 00	
Baie St. Paul—Repairs to wharf at Cap aux Corbeaux.....	640 00	
Cross Point—Isolated landing pier.....	8,000 00	
Crane Island (south side)—Heavy repairs to wharf	2,400 00	
Father Point—Landing pier.....	48,800 00	
Grande Vallée—Pier.....	28,800 00	
Harbours, rivers and bridges—General repairs and improvements.....	16,000 00	
Isle aux Coudres—Repairs to wharf.....	1,440 00	
Lake St. Jean wharfs—Repairs, etc.....	2,000 00	
Lake Timiskaming—Improvements.....	4,800 00	
Laprairie—Ice piers and protection wall.....	4,000 00	
Le Tableau, Descente des Femmes—Wharf on River Saguenay.....	2,400 00	
L'Île d'Alma—Removal of rocks.....	1,200 00	
Lower St. Lawrence—Removal of rocks, etc....	2,400 00	
Magdalen Islands—Breakwaters and piers.....	16,000 00	
Maria—Pier.....	16,800 00	
Murray Bay—Increasing height of wharf and extending same.....	3,200 00	
Newport breakwater—Extension.....	6,400 00	
Nicolet River—Dredging, etc.....	9,600 00	
Pointe aux Esquimaux wharf—Head block....	4,000 00	
Pointe St. Pierre—Breakwater.....	17,600 00	
Rivière aux Renards—Breakwater—Pier.....	11,200 00	
Rivière Bastican—To continue dredging of chan- nel at outlet of river.....	4,000 00	
Rivière Chateauguay—Dredging.....	4,000 00	
Rivière du Loup—Wharf—Improvements and repairs.....	2,800 00	
Rivière St. François—Ice piers at Richmond....	8,800 00	
Rivière St. Maurice between Grandes Piles and La Tuque.....	6,400 00	
Rivière St. Maurice—Dredging eastern channel.	6,400 00	
Rivière Touladié—Improvement of.....	1,600 00	
St. Alexis, Baie des Ha Ha—Pier.....	3,200 00	
St. Alphonse (de Bagotville)—Repairs to wharf.	400 00	
St. André de Kamouraska—To complete repairs to earth approach to pier, etc.....	600 00	
St. François—Pier on south shore of Island of Orleans.....	7,200 00	
St. Irénée wharf—Construction of head block and repairs.....	2,880 00	
St. Jérôme (Lake St. John)—Wharf.....	1,600 00	
St. Michel de Bellechasse—To complete repairs to pier.....	2,000 00	

## SCHEDULE—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
PUBLIC WORKS—Continued.		
(Chargeable to Income.)—Continued.		
HARBOURS AND RIVERS—Continued.		
Quebec—Continued.		
Sorel—Deep water wharf.....	\$ 37,600 00	
Temiscouata Lake—Landing piers.....	960 00	
Three Rivers harbour—Additional deep water wharfs.....	80,000 00	
Valleyfield—Dredging channel in Valleyfield Bay, etc.....	3,200 00	
Yamaska dam—Repairs.....	2,400 00	
Yamaska River—Dredging.....	6,400 00	
Anse aux Gascons—Extension of wharf, etc.....	6,000 00	
Anse aux Gris Fonds—Improvements at mouth of river.....	2,000 00	
Anse St. Jean—Extension of wharf.....	3,000 00	
Barachois de Malbaie—Breakwater.....	5,000 00	
Baie St. Paul—Repairs to wharf at Cap aux Corbeaux—Additional amount.....	2,400 00	
Belœil guide piers and booms—To make good damage by ice.....	1,600 00	
Berthier (en bas)—Repairs to wharf, etc.....	450 00	
Bonaventure East—Breakwater.....	5,000 00	
Bois Brûlé—Training pier, etc.....	2,000 00	
Cacouna—Extension of wharf, etc.....	2,300 00	
Caplan—Breakwater.....	5,000 00	
Chambord—Wharf.....	2,000 00	
Chateau Richer—Harbour improvements.....	4,000 00	
Champlain—Wharf, including repairs and addition.....	7,200 00	
Chicoutimi wharf—Repairs.....	1,000 00	
Coteau du Lac wharf—Repairs.....	800 00	
Deschambault—Wharf.....	5,000 00	
Desjardins—Allumette Island—Wharf.....	7,500 00	
Doucet's Landing—Dredging.....	6,000 00	
Douglastown—Isolated block.....	6,000 00	
East Templeton—Wharf.....	3,000 00	
English River—Removal of obstructions.....	5,000 00	
Escoumains—Pier.....	2,000 00	
Gatineau River—Protection of east bank below Canadian Pacific Ry. bridge, including purchase of land.....	3,500 00	
Grande Rivière wharf—New covering.....	800 00	
Grands Méchins—Breakwater.....	5,000 00	
Gronelines—Wharf.....	5,000 00	
Isle Verte—Removal of rocks in river.....	800 00	
Kamouraska—Extension of pier.....	4,500 00	
L'Anse à Giles—Wharf and repairs.....	1,300 00	
Lake St. John—Dredging.....	3,500 00	
Lake Nominigüe—Wharfs.....	2,000 00	
Laprairie ice piers and protection wall—Additional amount for works of reconstruction and repair.....	10,000 00	
L'Islet wharf—Repairs.....	500 00	
Lotbinière wharf—Improvements.....	7,000 00	
Maguasha—Landing pier.....	4,000 00	
Matane—Repairs to breakwater pier at mouth of river.....	4,500 00	
Mistook (Delisle)—Wharf.....	2,000 00	
Mont Louis—Wharf.....	5,000 00	

## SCHEDULE—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
PUBLIC WORKS—Continued.		
(Chargeable to Income.)—Continued.		
HARBOURS AND RIVERS—Continued.		
Quebec—Continued.		
New Carlisle wharf—Repairs.....	\$ 1,800 00	
Newport breakwater—Extension.....	6,800 00	
New Richmond—Breakwater.....	6,000 00	
Notre Dame du Portage—Wharf.....	4,500 00	
Paspebiac—Landing pier.....	10,000 00	
Percé—Extension of pier in north cove.....	10,000 00	
Petites Bergeronnes—Removal of boulders.....	600 00	
Pierreville—Wharf.....	7,500 00	
Pointe aux Trembles—Wharf.....	5,000 00	
Pointe Fortune wharf—Improvements.....	1,000 00	
Port Daniel—Extension of wharf and approach thereto.....	7,000 00	
Repentigny—Wharf.....	6,500 00	
Rimouski—Extension of pier and tidal basin, including repairs.....	30,000 00	
Rivière Batiscan—To continue dredging of channel at outlet of river.....	1,000 00	
Rivière St. Maurice—Dredging eastern channel, etc.....	5,000 00	
Rivière Jésus—Dredging.....	6,000 00	
Rivière Onelle pier—Repairs.....	6,000 00	
Rivière Verte—Improvements at mouth of.....	3,750 00	
River Richelieu—St. Johns guide boom—Repairs to boom.....	1,300 00	
River Saguenay—Dredging.....	15,000 00	
River St. Louis—Improvements.....	15,000 00	
River du Loup (Fraserville)—Harbour improvements.....	20,000 00	
Sacré-Cœur—Wharf.....	1,000 00	
Shegawake—Harbour improvements.....	4,000 00	
Seven Islands—Wharf.....	25,000 00	
Sabrevois wharf—Improvements.....	1,000 00	
Sorel—Ice piers.....	3,000 00	
Ste. Anne de Saguenay wharf—Improvements.....	1,000 00	
Ste. Anne de la Pérade—Repairs to river bank protection works.....	3,000 00	
Ste. Famille—Extension of pier.....	4,000 00	
Ste. Anne de la Pocatière—Reconstruction of pier destroyed by ice shoves.....	5,400 00	
Ste. Anne de Sorel—Repairs to ice piers.....	3,800 00	
St. Alphonse, Baie des Ha! Ha!—Repairs to wharf—Additional amount.....	2,000 00	
St. Godefroi de Nouvelle—Breakwater.....	6,000 00	
St. Gédéon Islands—Wharf.....	2,000 00	
St. Fulgence—Wharf.....	1,000 00	
St. Maurice River—Dam at Grandes Piles.....	10,000 00	
St. André de Kamouraska—Extension of pier and additional repairs.....	3,700 00	
St. Geneviève piers and spans, etc.—Renewals and repairs.....	2,600 00	
St. Zotique wharf—Repairs to covering, etc.....	500 00	
St. Valentin pier—Renewals and repairs.....	1,150 00	
St. Marc wharf—Richelieu River—Improvements.....	500 00	
St. Fidèle—Wharf.....	4,000 00	
St. Siméon wharf—Extension.....	4,000 00	
St. Irénée wharf—Construction of head block, etc.....	4,700 00	



## SCHEDULE—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
PUBLIC WORKS—Continued.		
(Chargeable to Income.)—Continued.		
HARBOURS AND RIVERS—Continued.		
Quebec—Concluded.		
St. Jean Port Joli pier—To complete repairs...	\$ 1,100 00	
St. Michel de Bellechasse—Repairs to pier.....	2,100 00	
St. Jean, Island of Orleans—Repairs to wharf...	1,200 00	
St. Jean des Chaillons—Wharf.....	6,000 00	
Trois Lacs or Flint's Landing, Lake Mégantic— To complete wharf.....	850 00	
Trois Pistoles—Breakwater .....	5,800 00	
Verchères—Wharf.....	5,500 00	
Yamaska lock—Dredging below lock.....	8,000 00	
Chateauguay River—Enlargement at discharge into St. John River .....	2,000 00	
Doucet's Landing—Dredging.....	6,000 00	
Port Daniel wharf—Repairs.....	2,500 00	
Rivière Jésus—Dredging.....	2,500 00	
Ville Marie wharf—Lake Timiskaming, re- pairs, renewals, etc .....	2,500 00	
Dredging and improvements at the mouth of Rivière du Loup (en haut).....	3,000 00	
	\$ 849,120 00	
Ontario.		
Amherstburg—Dredging.....	\$ 15,000 00	
Blind River wharf—Addition of head block ....	3,000 00	
Barry's Bay, Madawaska River—Wharf .....	1,500 00	
Bracebridge—Wharf.....	5,800 00	
Bronte harbour—Improvements .....	6,300 00	
Burlington channel piers—To complete works of renewal and repair under contract.....	10,000 00	
Cobourg harbour—Repairs to piers and dredging	2,500 00	
Colborne harbour—Renewals and repairs to wharf.....	3,500 00	
Cumberland—Wharf.....	5,500 00	
Christian Island—Repairs to wharf.....	400 00	
Collingwood—Improvements in harbour.....	60,000 00	
Depot Harbour—Breakwater.....	20,000 00	
Gananoque—Dredging .....	7,000 00	
Grand Bend—Breakwater pier, etc .....	5,000 00	
Goderich—Breakwater off entrance to harbour..	20,000 00	
Gore's Landing—Wharf.....	3,000 00	
Honora—Wharf .....	4,000 00	
Kingsville—Filling superstructure of extension of breakwater with stone ballast.....	4,000 00	
Lake Timiskaming—Wharfs.....	1,000 00	
Little Bear Creek—Dredging .....	2,000 00	
Little Current—Improvement of northern steam- boat channel in Georgian Bay.....	15,000 00	
L'Original wharf—Renewals and repairs.....	1,000 00	
Leamington wharf—Sheet piling, etc.....	3,800 00	
Meaford harbour—New breakwater pier.....	15,000 00	
Midland harbour—Improvements .....	12,000 00	
Oakville harbour—Additional amount for dredg- ing.....	3,500 00	
Prescott—Dredging.....	4,000 00	
Pembroke—Wharf.....	10,000 00	
Port Dover piers—Works of reconstruction, and renewal and repair.....	10,000 00	
Penetanguishene—Dredging, etc.....	4,800 00	
Parry Sound—Wharf.....	8,000 00	

SCHEDULE—*Continued.*

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
PUBLIC WORKS— <i>Continued.</i>		
(Chargeable to Income)— <i>Continued.</i>		
HARBOURS AND RIVERS— <i>Continued.</i>		
Ontario— <i>Concluded.</i>		
Point Edward—Dredging.....	\$ 6,000 00	
Port Burwell—Improvement of harbour.....	34,000 00	
Port Stanley—Dredging.....	4,000 00	
Port Perry—Dredging harbour.....	2,200 00	
Port Arthur—Repairs to breakwater.....	17,500 00	
Rosedale—Wharf.....	1,000 00	
Rondeau—Dredging.....	13,000 00	
River Sydenham—Improvement of.....	5,800 00	
River Ottawa—Improvements of narrows at Petewawa above Pembroke—To pay G. C. Poupore in full for work done previous to July 1, 1903.....	7,000 00	
River Otonabee—Dredging at Peterborough....	5,000 00	
River St. Lawrence—Dredging steamboat chan- nel through shoal at foot of Wolfe Island...	5,000 00	
Spanish River—Dredging.....	10,000 00	
Regulation of waters of Lakes Simcoe and Couchiching—Repairs to works at Washago, etc.....	2,000 00	
Sarnia—Dredging.....	6,000 00	
Sault Ste. Marie—Harbour improvements, in- cluding dredging of approaches.....	18,300 00	
Thessalon—Breakwater.....	5,000 00	
Thornbury harbour—Dredging.....	3,550 00	
Toronto harbour—Works at eastern entrance— Close piling channel face of east pier and levelling up pier.....	20,000 00	
Toronto harbour—Works at eastern entrance— To pay Magann and Phin in full and final settlement of all claims in connection with their contract of February 10, 1900, for the extension of the western pier.....	9,100 51	
Victoria harbour—Dredging.....	4,000 00	
Victoria harbour—Dredging.....	4,000 00	
Warton—Wharf.....	10,000 00	
	\$ 459,050 51	
Manitoba.		
Icelandic River—Wharf.....	1,000 00	
British Columbia.		
Columbia River above Golden—New hull for pile driver, etc.....	\$ 4,500 00	
Columbia River above Golden—Opening channel from river to site of proposed warehouse at Wilmer.....	1,000 00	
Columbia River—Improvements between Upper and Lower Arrow lakes.....	12,000 00	
Columbia River between Arrow Lakes—Balance due on dredge machinery.....	4,000 00	
Fraser River—Improvements.....	25,000 00	
Hardy Bay—Wharf.....	2,100 00	
North Thompson River—Improvements, etc....	7,000 00	
Salmon River—Removal of driftwood and other obstructions.....	3,000 00	
Sidney harbour—Breakwater.....	5,000 00	

## SCHEDULE—Continued.

SERVICE.	Amount.	Total.
<b>PUBLIC WORKS—Continued.</b>	\$ cts.	\$ cts.
(Chargeable to Income.)—Continued.		
<b>HARBOURS AND RIVERS—Concluded.</b>		
<i>British Columbia—Concluded.</i>		
Spallumchin River—Protection of banks at Enderby.....	\$ 1,500 00	
Quatsino City—Wharf.....	5,000 00	
Williams Head quarantine station—Extension of wharf at eastern end, etc.....	5,000 00	
Victoria Harbour—Additional amount for dredg- ing and removal of rocks.....	10,000 00	
	\$ 85,100 00	
<i>Yukon Territory.</i>		
Lewes and Yukon River improvements.....	30,000 00	
<i>Generally.</i>		
Harbours and rivers generally.....	3,500 00	
	2,033,386 94	
<b>DREDGING.</b>		
<i>Including salaries of engineers, superintendents and clerks.</i>		
Dredging—Maritime provinces—Additional amount.....	\$ 28,500 00	
New dredging plant, British Columbia, to replace snag boat <i>Samson</i> and dredge <i>Mud Lark</i> .....	10,000 00	
New tug for dredge <i>Manitoba</i> .....	10,500 00	
Hydraulic self-propelling dredge for maritime provinces.....	40,000 00	
New dredge for Prince Edward Island.....	25,000 00	
Dredging—Quebec and Ontario.....	20,000 00	
New dredging plant, British Columbia—One tug, steel hull, and two hopper scows.....	36,000 00	
New dredging plant, Ontario and Quebec—Additional amount	78,000 00	
	248,000 00	
<b>ROADS AND BRIDGES.</b>		
"Hull Slide" and "Union" bridges and roadway approaches —Repairs, alterations and additions, etc.....	\$ 6,000 00	
Ottawa city—Dufferin and Sappers bridges, over the Rideau Canal—Repairs, alterations and additions, etc.....	10,000 00	
Bryson bridge—Reconstruction of piers and approaches.....	10,000 00	
North Shore telegraph line—Improvement.....	700 00	
Laurier bridge over the Rideau Canal at Ottawa—Paving approaches, etc.....	2,250 00	
Edmonton bridge over the Saskatchewan River—Renewal of flooring.....	1,650 00	
Battleford bridge—Replacing old wooden trusses, etc., by iron superstructure—To pay balance due contractor, etc.....	1,651 00	
To open a pack trail from the Peace River to the Pelly River.	25,000 00	
	57,251 00	
<b>TELEGRAPH LINES.</b>		
<i>Maritime Provinces.</i>		
Assistance towards extension of telephone line from Chatham to Tracadie, N.B.....	\$ 2,000 00	
Telegraphic connection between Deer Island and Eastport, Maine.....	3,500 00	
Telegraph line from Big Bras d'Or to Upper Kempt Head, Boularderie Island.....	2,000 00	
	\$ 7,500 00	

## SCHEDULE—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts
<b>PUBLIC WORKS—Continued.</b>		
<i>(Chargeable to Income.)—Continued</i>		
<b>TELEGRAPH LINES—Concluded.</b>		
<i>Quebec.</i>		
Magdalen Islands—Renewal of poles and wire on land lines.....	\$ 6,000 00	—
Anticosti Island—Renewal of line wire between Fox Bay and Beesie River.....	7,360 00	
For Marconi wireless telegraph apparatus supplied and installed at Chateau Bay and Belle Isle.....	4,100 00	
Murray Bay to St. Catherines Bay (Rivière aux Canards)—Second wire.....	1,640 00	
Island of Orleans land line—Extension to Ste. Famille.....	1,150 00	
Land line—Ste. Anne du Saguenay to Descente des Femmes.....	1,500 00	
Extension of branch line on west side of River Saguenay from St. Etienne to Anse St. Jean	2,000 00	
Telegraph line on north shore of St. Lawrence—Land line from Bersimis to Godbout.....	12,000 00	
Chicoutimi—St. Charles telegraph line—Branch from Ste. Anne to Lac Clair.....	1,800 00	
Petite Rivière—Ste. Agnes telegraph line .....	2,500 00	
	\$ 40,050 00	
<i>Ontario.</i>		
Pelee Island—Cable connection with mainland.. ...	1,000 00	
<i>North-west Territories.</i>		
Lethbridge-Cardston telephonenumber—Restoration of Spring Coulee-Cardston section.....	\$ 1,100 00	
Telephone line—Edmonton to Edmonton Indian agency.....	1,000 00	
Telegraph line between Edmonton and Athabaska Landing.....	15,000 00	
Loop line from a point on main line near Victoria to connect with Andrews'.....	600 00	
Extension of telegraph line from Wood Mountain Post to Willow Bunch.....	7,600 00	
	25,300 00	
<i>British Columbia.</i>		
Kamloops-Nicola telephone line—Resetting of poles and general repairs.....	\$ 1,000 00	
Vancouver Island-Salt Spring Island telephone line—Extension .....	900 00	
	1,900 00	
	75,750 00	
<b>MISCELLANEOUS.</b>		
Arbitrations and awards including payments authorized notwithstanding anything in the Civil Service Act.....	\$ 5,000 00	
Chief Engineer's office—Salaries of engineers, draughtsmen, and clerks, notwithstanding anything in the Civil Service Act .....	14,000 00	



## SCHEDULE—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
<b>PUBLIC WORKS—Concluded.</b>		
<i>(Chargeable to Income.)—Concluded.</i>		
<b>MISCELLANEOUS—Concluded.</b>		
Temporary clerical and other assistance, inclusive of all persons required, who were first employed after July 1, 1882, notwithstanding anything in the Civil Service Act.....	\$ 8,000 00	
Gratuity to the daughters of the late Thos. Ryan, engineer, Montreal Dominion buildings . . . . .	200 00	
For an increase in the half salary of the departmental photographer.....	50 00	
Cement testing laboratory—Improvements in equipment....	1,500 00	
Gratuity to the father of the late Joseph Charette, draughtsman in the Chief Architect's office.....	166 66	
Gratuity to the widow of the late James Russell, caretaker St. Thomas public building.....	66 66	
Surveys of headwaters of the Ottawa River and tributaries with a view of devising a scheme for the regulation of the water levels of the upper reaches of these streams so as to afford increased facilities for navigation purposes, the descent of timber, etc.....	20,000 00	
Technical and other books of reference.....	500 00	
Gratuity to the widow of the late A. Nadeau, telegraph operator at South Point, Anticosti Island.....	50 00	
Gratuity to the family of the late J. Harrington, line repairer.....	100 00	
Gratuity to district superintendent Jas. Wilson, on his retirement from the Government service.....	300 00	
Expenditure in connection with a Transportation Commission.....	25,000 00	
	74,933 32	3,754,598 26
<b>MAIL SUBSIDIES AND STEAMSHIP SUBVENTIONS.</b>		
Ocean and mail service between Great Britain and Canada.....	120,000 00	
Steam service between Halifax, St. John's Newfoundland and Liverpool, from July 1, 1903, to June 30, 1904.....	16,000 00	
Steam service between St. John and Glasgow during winter of 1903-4...	6,000 00	
Steam service between St. John, Dublin and Belfast during the winter of 1903-4.....	6,000 00	
A line or lines of steamers to run between St. John, Halifax, and London.....	32,000 00	
Steam communication between St. John and Digby, from July 1, 1903, to June 30, 1904.....	10,000 00	
A line or lines of steamers to run between St. John and Halifax, or either, and the West Indies and South America.....	64,560 00	
Steam service between Victoria and San Francisco.....	4,000 00	
Steam communication between Halifax and Newfoundland via Cape Breton ports.....	1,600 00	
Steam communication during the season of 1903, i.e., from the opening to the closing of navigation, between the mainland and the Magdalen Islands.....	7,200 00	
Steam communication during the season of 1903, i.e., from the opening to the closing of navigation, between Prince Edward Island and the mainland.....	10,000 00	
Steam communication from July 1, 1903, to June 30, 1904, between Grand Manan and the mainland.....	4,000 00	
Steam communication from July 1, 1903, to June 30, 1904, for not less than 52 full round weekly trips between St. John and Halifax, via Yarmouth and other way ports.....	8,000 00	
Steam communication during the season of 1903, i.e., from the opening to the closing of navigation, between St. John and Minas Basin ports...	2,400 00	
Steam communication from July 1, 1903, to June 30, 1904, between Pictou, Murray Harbour, Georgetown and Montague Bridge.....	960 00	

SCHEDULE—*Continued.*

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
MAIL SUBSIDIES AND STEAMSHIP SUBVENTIONS— <i>Con.</i>		
Steam communication from July 1, 1903, to June 30, 1904, between Quebec and Gaspé Basin, touching at intermediate ports . . . . .	6,000 00	
Steam communication between a port or ports in Prince Edward Island and a port or ports in Great Britain . . . . .	3,000 00	
Direct fortnightly steam service between Montreal, Quebec and Manchester, England, during the summer season, and between St. John, Halifax and Manchester during the winter season . . . . .	28,000 00	
Direct monthly steam communication between Canada and South Africa . . . . .	116,800 00	
Steam communication during the season of 1903-4 between Baddeck, Grand Narrows, Iona, Big Pond and East Bay . . . . .	4,000 00	
Steam communication during the season of 1903, i.e., from the opening to the closing of navigation, between Port Mulgrave, St. Peters, Irish Cove and Marble Mountain . . . . .	4,000 00	
Steam communication during the season of 1903, i.e., from the opening to the closing of navigation, between Gaspé Basin and Dalhousie or Campbellton . . . . .	10,000 00	
Steam communication during the season of 1903, i.e., from the opening to the closing of navigation, between Pictou and Cheticamp . . . . .	1,600 00	
Steam communication from April 1, 1903, to March 31, 1904, between Port Mulgrave, Arichat and Canso; and between Port Mulgrave and Guysborough; and from the opening to the closing of navigation in 1903, between Port Mulgrave, Margaree and Cheticamp . . . . .	6,400 00	
Steam service during the season of 1903, between Sydney and Whycomagh . . . . .	800 00	
Steam service during the year 1903, between St. Stephen, N.B., St. Croix River points, Deer Island, Campobello and the inner islands, Passamaquoddy Bay and L'Etete or Back Bay . . . . .	1,600 00	
Steam service during the year 1903, between Quebec and Blanc Sablon, calling at ports and places along the north shore of the River St. Lawrence between such terminals . . . . .	6,400 00	
Steam service during the season of 1903 between Sydney, C.B., and Bay St. Lawrence, calling at way ports . . . . .	800 00	
Weekly service between Halifax and Canso from July 1, 1903, to June 30, 1904 . . . . .	3,200 00	
Winter steam navigation service during winter of 1903-4, between Quebec and St. Lawrence harbours down to Murray Bay and River Ouelle . . . . .	9,600 00	
Summer steamer service between Murray Bay and River Ouelle . . . . .	4,800 00	
Steam service between Victoria, Vancouver, way ports and Skagway . . . . .	10,000 00	
Steam service between Victoria and west coast of Vancouver Island . . . . .	2,000 00	
Additional for service between Great Britain and Canada . . . . .	25,000 00	
Additional for steam service between St. John, N.B., and Glasgow during winter of 1903-4 . . . . .	7,500 00	
Additional for steam communication during the season of 1903, between the mainland and the Magdalen Islands . . . . .	6,000 00	
Steam communication between Prince Edward Island, Cape Breton and Newfoundland . . . . .	8,000 00	
Additional for steam service during the season of 1903 between Sydney, C.B., and Bay St. Lawrence and way ports . . . . .	500 00	
Steam service between Canada and Australia . . . . .	194,666 66	
Steam service between Paspébiac and Gaspé Basin during the months of December, 1903, and January, 1904 . . . . .	3,000 00	
Additional for steam service between Victoria and west coast of Vancouver Island . . . . .	2,500 00	
Additional for steam service during the year 1903 between St. Stephen, N.B., St. Croix River points, Deer Island, Campobello, Passamaquoddy Bay and L'Etete or Back Bay . . . . .	1,000 00	
Steam service between St. Catherine's Bay and Tadousac during winter of 1903-4 . . . . .	2,000 00	
For services of the steamer <i>Lord Strathcona</i> and wrecking plant on the St. Lawrence for the year ending June 30, 1904 . . . . .	10,000 00	
Steam service between Petit de Grat and the I.C.R. terminus at Mulgrave . . . . .	3,000 00	

774,886 66

## SCHEDULE—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
OCEAN AND RIVER SERVICE.		
Further amount for repairs to Government steamers <i>Stanley</i> and <i>Lansdowne</i> .....	27,000 00	
Further amount for examination of masters and mates .....	2,000 00	
Marine biological station .....	3,000 00	
Further amount for cattle inspection .....	300 00	
Further amount for rewards for saving life; for life-saving stations and for wages of crews and drill clothing .....	2,000 00	
Further amount for investigations into wrecks .....	2,000 00	
Expenses of inquiry into the subject of a naval militia and school of navigation .....	7,500 00	
Cost of the extension of the coast service and surveys on the northern coast of Canada .....	100,000 00	
Gratuity to Alfred Couillard, second mate of steamer <i>Druid</i> , for injuries while on duty .....	600 00	
Gratuity to the widow of the late William Owen, first officer of the steamer <i>Quadra</i> .....	360 00	
		144,760 00
LIGHTHOUSE AND COAST SERVICE.		
Further amount for agencies, rents and contingencies, including the establishment of a new agency at Montreal .....	5,000 00	
Further amount for maintenance and repairs to lighthouses, owing to the proposed establishment of gas lights and buoys above Montreal ..	15,000 00	
Further amount for construction and aids to navigation, including the purchase and equipment of boats for sweeping channels between Platon and Montreal and Montreal and Kingston; and the substitution of compressed gas for oil as illuminant for lighthouses, increasing the power of the lights below Montreal, and the establishment of a buoy depot for the upper lakes .....	180,000 00	
Further amount for signal service, for telephonic communication between Port Atkinson lighthouse, B.C., and the city of Vancouver .....	2,000 00	
For the purchase of land and a wharf for buoy service in Halifax harbour ..	20,000 00	
Compensation to H. J. Cartier, light keeper, River Thames, for loss of provisions, money, etc., when dwelling was destroyed by fire .....	250 00	
For the equipment of wireless stations at Point Amour, Heath Point, Anticosti, Fame Point, Cape Race, and Belle Isle and Sable Island ..	25,000 00	
		247,250 00
SCIENTIFIC INSTITUTIONS.		
Further amount for observers in Manitoba and the North-west Territories to supply reports during the growing season .....	4,000 00	
W. A. Found, salary as observer at Ottawa, notwithstanding anything in the Civil Service Act .....	150 00	
Grant to Montreal observatory, .....	500 00	
		4,650 00
STEAMBOAT INSPECTION.		
Further amount .....		6,000 00
FISHERIES.		
To investigate matters respecting sardine, herring, oyster fisheries and dog-fish nuisance and settlement of the coasts close season .....	10,000 00	
Legal expenses of arbitration <i>re</i> seizure of the following sealing vessels by Russian cruisers in the North Pacific Ocean, in 1892, viz.:— <i>Vancouver Belle</i> , <i>Walter P. Hall</i> , <i>C. H. Tupper</i> , boat of the <i>E. B. Marvin</i> , and boats of the <i>W. P. Sayward</i> .....	8,000 00	
His Majesty's Government, balance of divisible expenses in the Behring Sea arbitration .....	629 46	
Towards a steamer to replace the <i>Acadia</i> and one to replace the <i>Petrel</i> on the great lakes .....	75,000 00	
Further amount for building and maintenance of fish-breeding establishments and lobster hatcheries and securing seed lobsters during the fishing season for distribution in depleted localities .....	15,000 00	
		108,629 46



## SCHEDULE—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
SUPERINTENDENT OF INSURANCE.		
Expenses in connection with this service, including \$2,800 to A. K. Blackadar, actuary of the Department, and \$1,200 to M. D. Grant, notwithstanding anything in the Civil Service Act.....	-	9,840 00
GEOLOGICAL SURVEY		
Exploration and surveys.....	40,000 00	
Printing and publication of reports and maps, etc.....		
Wages of assistant explorers, draughtsmen, clerks and others.....		
Purchase of specimens, books, instruments, stationery, mapping materials, maintenance of museum, laboratory apparatus, chemicals and miscellaneous expenses.....		
Advances to explorers.....		
Salary of a geologist to the International Boundary Survey, from July 1, 1903, to June 30, 1904.....	1,600 00	
Plotting and compiling of surveys, plans, maps and utilizing field-notes, etc. (Persons having technical or professional qualifications may be paid out of this sum at rates exceeding \$400 per annum, notwithstanding anything in the Civil Service Act, or any other Act).....	4,400 00	
Salary of Mrs. Jane Alexander, assistant librarian, at the rate of \$2 per day, notwithstanding anything in the Civil Service Act.....	584 00	
Engraving, lithographing, printing, etc., to bring out maps of work already done.....	10,500 00	
Metallurgical, petrographical and clerical assistance. (Salaries greater than \$400 per annum may be paid out of this sum, notwithstanding anything in the Civil Service Act).....	5,300 00	
Cost of investigating the cause of the recent catastrophe at Frank, B.C., by two field-geologists.....	600 00	62,984 00
INDIAN AFFAIRS.		
ONTARIO AND QUEBEC.		
Relief, medical attendance and medicines, Quebec.....	\$ 4,480 00	
Relief, medical attendance and medicines, Ontario.....	1,600 00	
Blankets and clothing, Ontario and Quebec.....	400 00	
Schools, Ontario, Quebec and maritime provinces.....	35,912 00	
Salaries of chiefs, Cape Croker and Gibson and agent, St. Regis.....	120 00	
Payment of Robinson Treaty annuities.....	13,444 80	
Surveys of the Indian reserves.....	400 00	
Indian Land Management Fund.....	11,200 00	
Grant for Agricultural Society, Munceys of the Thames.....	72 00	
To assist in suppression of liquor traffic among Indians belonging to bands in older provinces which have no funds of their own.....	400 00	
Erection of lock-up at St. Regis.....	400 00	
General legal expenses.....	2,800 00	
Additional amount for relief and medical attendance.....	300 00	
Additional amount for schools.....	3,800 00	
Additional amount for surveys.....	500 00	
Repair of roads.....	2,100 00	
Squatters' improvements, Doncaster reserve.....	11,325 00	
Drainage, Caughnawaga reserve.....	600 00	
Contribution on behalf of the Rama Indians towards expenses on roads and bridges in the township of Rama.....	2,000 00	
	91,853 80	
NOVA SCOTIA.		
Salaries.....	\$ 980 00	
Relief and seed grain.....	2,160 00	
Medical attendance and medicines.....	2,960 00	
Miscellaneous and unforeseen.....	240 00	



## SCHEDULE--Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
INDIAN AFFAIRS--Continued.		
NOVA SCOTIA--Concluded.		
To improve sanitary conditions on Indian reserve, near Sydney.....	\$ 800 00	
Repair of roads.....	250 00	
Purchase of lands for reserves.....	800 00	
	8,190 00	
NEW BRUNSWICK.		
Salaries.....	\$ 966 40	
Relief and seed grain.....	1,840 00	
Medical attendance and medicines.....	2,400 00	
Miscellaneous and unforeseen.....	240 00	
Additional amount for salaries.....	100 00	
Damages by fire on the Indian reserve, Edmundston.....	100 00	
	5,646 40	
PRINCE EDWARD ISLAND.		
Salaries and travelling expenses.....	\$ 240 00	
Relief and seed grain.....	740 00	
Medical attendance and medicines.....	520 00	
Office and miscellaneous expenses.....	60 00	
	1,560 00	
MANITOBA AND NORTH-WEST TERRITORIES.		
Annuities.....	\$115,748 00	
Agricultural implements.....	6,359 20	
Seeds.....	973 60	
Live stock.....	16,236 00	
Supplies for destitute and working Indians.....	154,777 00	
Triennial clothing.....	3,271 20	
Day, boarding and industrial schools.....	240,444 80	
Surveys.....	4,000 00	
Sioux.....	4,244 00	
Grist and saw mills.....	1,809 60	
General expenses.....	125,672 80	
Additional amount for implements.....	1,500 00	
" " cattle.....	1,055 00	
" " triennial clothing.....	1,200 00	
" " surveys.....	2,000 00	
" " schools.....	3,736 00	
" " Sioux.....	50 00	
" " general expenses (from which payments may be made to Dr. C. H. West, notwithstanding anything in the Civil Service Act).....	2,200 00	
	685,277 80	
BRITISH COLUMBIA.		
Salaries.....	\$ 16,672 00	
Relief.....	3,600 00	
Seed.....	800 00	
Medical attendance and medicines.....	8,800 00	
Day schools.....	7,760 00	
Industrial and boarding schools.....	55,720 00	
Travelling expenses.....	4,480 00	
Office and miscellaneous (including hospitals, irrigation, dyking and suppression of the liquor traffic).....	8,496 00	
Surveys and reserve commission.....	4,000 00	
Additional amount for salaries.....	200 00	
" " medical attendance and medicines...	9,000 00	

SCHEDULE—*Continued.*

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
INDIAN AFFAIRS— <i>Concluded.</i>		
BRITISH COLUMBIA— <i>Concluded.</i>		
Additional amount for schools.....	\$ 12,000 00	
"                    "      steam launch, Kwawkwalth agency...	2,500 00	
To assist the hospital at Hazelton.. ..	1,000 00	
	135,028 00	
YUKON TERRITORY.		
Relief of destitute Indians and medical attendance.....	\$ 4,000 00	
To promote the education of the Indians in the Territory....	4,000 00	
	8,000 00	
GENERAL.		
J. A. Macrae, Inspector of Indian agencies and reserves....	\$ 1,440 00	
Geo. L. Chitty, Inspector of Timber .....	960 00	
Travelling expenses and clerical assistance for these officers..	960 00	
Printing and stationery, outside service generally (including schools).....	4,800 00	
	8,160 00	
		943,716 00
GOVERNMENT OF THE NORTH-WEST TERRITORIES.		
Expenditure connected with the Lieutenant Governor's office.....	5,504 00	
Incidental justice, etc., including clerical assistance.....	1,600 00	
Registrars, etc. ....	21,600 00	
Insane patients.....	40,000 00	
Schools in unorganized districts, including clerical assistance.....	5,200 00	
Grant for schools, clerical assistance, printing, etc., to be paid half-yearly in advance.....	366,383 20	
Additional grant for schools, clerical assistance, printing, etc., to be paid half-yearly in advance. ....	250,000 00	
Further amount for registrars, etc. ....	5,000 00	
Belly River bridge at Lethbridge, reconstruction—To recoup the Government of the Territories .....	55,000 00	
Old Man's River bridge at McLeod, reconstruction—To recoup the Government of the Territories.....	29,000 00	
		779,287 20
GOVERNMENT OF THE YUKON TERRITORY.		
Salaries and expenses in connection with the administration of the Territory .....	224,000 00	
Grant to Yukon Council for local purposes .....	100,000 00	
Additional amount for expenses in connection with the administration of the Territory .....	15,000 00	
Maintenance and construction of roads and bridges in the Territory .....	113,490 00	
Grant to administration of the Territory for construction and maintenance of public buildings for local purposes and settlement of claims in connection with the construction of roads.....	113,500 00	
		565,990 00
DOMINION LANDS.		
<i>(Chargeable to Capital.)</i>		
Surveys, examination of survey returns, printing of plans, including \$13,000 for irrigation surveys .....	344,000 00	
Further amount for surveys, examination of survey returns, printing of plans, etc.....	320,000 00	
		664,000 00

## SCHEDULE—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
DOMINION LANDS.		
(Chargeable to Income.)		
Commissioner's salary.....	2,400 00	
Superintendent of Mines salary.....	2,400 00	
Salaries of Inspectors, Dominion Lands and Crown Timber Agents, sub-agents and clerks in outside service .....	79,920 00	
Inspector's expenses, travelling expenses of Commissioner, Superintendent of Mines and Homestead Inspectors, contingencies of Dominion Lands and Crown Timber Agents and at head office, removal expenses, stationery and printing, etc .....	29,680 00	
Members of Board of Examiners of Dominion Land Surveyors, including contingent expenses of the Board. (The authority required by the Civil Service Act is hereby given for paying out of this sum such amounts as may be required to pay for service of members of the Board who are members of the Civil Service) .....	440 00	
Salaries of extra clerks at head office and advertising, including \$5,000 for extra service in connection with Dominion Lands, notwithstanding anything in the Civil Service Act.....	22,585 60	
Protection of timber lands in Manitoba and the North-west Territories, and tree culture in the North-west Territories.....	20,000 00	
Further amount for salaries of the outside service.....	10,000 00	
Widow of the late W. B. Underhill, homestead inspector, gratuity.....	250 00	
Further amount for protection of timber and tree planting .....	15,000 00	
		182,675 60
MISCELLANEOUS.		
Canada Gazette.....	5,600 00	
Miscellaneous printing.....	32,000 00	
Expenses in connection with distribution of Parliamentary documents..	960 00	
Plant for Printing Bureau.....	5,600 00	
Contribution towards publication of International Catalogue of Scientific Literature .....	400 00	
Unforeseen expenses, expenditure thereof to be under Order in Council, and a detailed statement to be laid before Parliament within the first fifteen days of the next session.....	16,000 00	
Commutation in lieu of remission of duties on articles imported for the use of the army and navy .....	1,800 00	
Salaries and contingencies of the office of the Paris agency.....	5,200 00	
Payments of extra clerks for service rendered in preparation of returns ordered by Parliament.....	1,600 00	
Academy of Arts .....	1,600 00	
To assist in the publication of the proceedings of the Royal Society .....	4,000 00	
Cost of arbitration respecting the accounts between the Dominion of Canada and the provinces of Ontario and Quebec (payments on account of service rendered may be made to members of the Civil Service, notwithstanding anything in the Civil Service Act) .....	2,400 00	
Expenses of taking evidence concerning the Public Accounts and reporting the same to the Auditor General under authority of section 57 of the Consolidated Revenue and Audit Act, and to pay for legal advice to the Auditor General.....	400 00	
To assist in defraying the cost of the publication of documents issued by the Canadian Mining Institute .....	800 00	
Preparing and printing Dr. Rand's English Micmac dictionary.....	748 00	
Consolidation of Dominion Statutes, which may be paid notwithstanding anything contained in the Civil Service Act or in the Act respecting the Department of Public Printing and Stationery.....	16,000 00	
Expenses of litigated matters which may be paid for services in connection with the litigation conducted within the Department of Justice, notwithstanding anything in the Civil Service Act.....	12,000 00	
Classification of old records of Canada in the office of the Privy Council. Payments on account of this service may be made notwithstanding anything in the Civil Service Act .....	800 00	

## SCHEDULE—Continued.

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
<b>MISCELLANEOUS—Concluded.</b>		
Maintenance, construction of roads, bridges, and other necessary works in connection with the Hot Spring Reservation, near Banff Station, N.W.T. ....	17,936 00	
Construction of roads, bridle-paths and other necessary works in connection with the Yoho Park Reserve and immediate vicinity.....	8,000 00	
Cost of investigations and demarcations and other astronomical work of the Department of the Interior. (Salaries of temporary officers and clerks may be paid out of this sum at rates exceeding \$400 per annum, notwithstanding anything in the Civil Service Act).....	46,400 00	
Astronomical observatory, for telescope and apparatus.....	4,000 00	
Costs of litigation.....	8,800 00	
Expenses of Government in district of Keewatin.....	1,752 00	
Maintenance of lunatics from Keewatin.....	1,600 00	
Maintenance of Assay Office at Vancouver.....	13,600 00	
Engraving, lithographing and printing maps of the Dominion and the North-west Territories.....	12,000 00	
Relief of distressed Canadians in countries other than United States.....	400 00	
Department of Labour—Allowances to correspondents, printing and stationery (including printing of <i>Labour Gazette</i> ), travelling expenses, etc., and \$500 each for an accountant and French translator, which sum may be paid to any one in the Civil Service notwithstanding anything in the Civil Service Act.....	26,760 00	
500 copies of the "Canadian Parliamentary Guide and Work of Reference".....	1,000 00	
Expenses of investigations into trade combinations, Customs Tariff Act..	5,000 00	
Contribution by Canada to Queen Victoria Memorial.....	146,000 00	
Towards expenses of meeting of Congress of Chambers of Commerce of the Empire, Montreal ..	25,000 60	
350 copies of the 3rd edition of Sir John Bourinot's Parliamentary Procedure.....	2,450 00	
Grant to assist the Canadian Association for the prevention of Tuberculosis	2,000 00	
Towards expenses of entertaining the American Veterinary Medical Association at their annual meeting held in Ottawa during the first week in September, 1903 .....	500 00	
Expenses in <i>King v. British American Bank Note Co.</i> .....	8,000 00	
Returns and other expenses under the Naturalization Act of 1902 .....	8,000 00	
Charles Miller, \$3,713.32, and Robert Miller, \$3,339.05, amounts deposited by them in the Post Office savings bank at St. Scholastique and fraudulently withdrawn by the assistant postmaster.....	7,052 37	
Additional building at Banff, N.W.T.....	10,000 00	
Expenses connected with the Alaska Boundary Commission.....	140,000 00	
Additional amount to assist in defraying cost of publication of documents issued by the Canadian Mining Institute.....	2,000 00	
Expenses connected with land slide at Turtle Mountain.....	8,000 00	
Additional amount for expenses of the Assay Office in British Columbia.	1,000 00	
Justice Richardson, allowance as Administrator of the government of the North-west Territories from 6th to 30th June, 1898.....	116 68	
To compensate the Canadian Bank of Commerce for services in the Yukon from May 1, 1902, to April 30, 1903.....	19,000 00	
Compensation for price of islands and improvements to be made on islands in the St. Lawrence River.....	12,000 00	
Additional amount to meet the cost of printing of the report and evidence of the Royal Commission appointed to inquire into the nature and cause of industrial disputes in the Province of British Columbia.....	2,500 00	
Wm. Perkins, for extra copies of evidence in connection with the Lisgar election petition.....	80 36	
		648,855 41
<b>COLLECTION OF REVENUE.</b>		
<b>CUSTOMS.</b>		
Salaries and contingent expenses of the several ports in Canada—Additional amount for salaries (including pay for overtime of officers, notwithstanding anything in the Civil Service Act).....	\$100,000 00	



## SCHEDULE—Continued.

SERVICE.	Amount.	Total.
COLLECTION OF REVENUE—Continued.	\$ cts.	\$ cts.
CUSTOMS—Concluded.		
Miscellaneous—To pay for services of Thomas Kilroy, acting customs officer at Windsor, Ontario, 360 days ending March 29, 1894.....	\$ 540 00	100,540 00
EXCISE.		
Salaries of officers and inspectors of excise, etc.—Further amount to provide increases in accordance with proposed amended Schedule B, <i>Inland Revenue</i> , Civil Service Act. \$12,000 00		
To increase the salaries of the Inspector of Distilleries, Inspector of Bonded Factories, Inspector of Tobacco Factories, and Inspector of Malt Houses and Breweries, not exceeding \$300 in any one case. ....	1,200 00	13,200 00
CULLING TIMBER.		
Salaries of supervisor, book-keeper, specification and other clerks. ....	\$ 4,880 00	
Contingencies.....	2,240 00	
Cullers.....	3,360 00	
Superannuated cullers.....	3,520 00	14,000 00
INSPECTION OF STAPLES.		
Chief inspectors, inspectors, deputy inspectors and other employees under the General Inspection and Manitoba Grain Acts.....	\$38,400 00	
Rents, day wages and other contingencies, including the purchase and distribution of standards of grain and flour and other expenditure under the said Acts.....	9,600 00	
Inspection of binder twine.....	2,000 00	
Additional for salaries of inspectors, deputy inspectors and other employees under the General Inspection and Manitoba Grain Acts.....	12,000 00	
Additional for rents, day wages and other contingencies. . .	8,000 00	70,000 00
RAILWAYS AND CANALS.		
Railways.		
Intercolonial.....	\$5,200,000 00	
Widow of the late W. P. Brown, gratuity....	140 00	
Rental to Grand Trunk.....	112,000 00	
Prince Edward Island.....	236,000 00	
Windsor branch. ....	24,000 00	5,572,140 00
Canals.		
Farran's Point—To equip with an acetylene gas plant.....	\$ 4,050 00	
Cornwall—Compensation to George Heath for clothing destroyed, medical attendance and time lost in connection with injuries received in discharge of his duties as lockman from May 25 to July 20, 1903.....	114 00	
Carillon and Grenville—Henry Tucker, services as Commissioner <i>re</i> charges against Superintendent Simpson, in February, March and April, 1898.....	600 00	

SCHEDULE—*Continued.*

SERVICE.	Amount.	Total.
<b>COLLECTION OF REVENUE—Continued.</b>		
	\$ cts.	\$ cts.
<b>RAILWAYS AND CANALS—Concluded.</b>		
<i>Canals—Concluded.</i>		
Soulanges—Repairs.....	\$ 5,000 00	
Special repairs to stone lining, summit level..	*15,000 00	
Chambly—Repairs to Bridge 1 and wharf at Chambly Canton .....	4,000 00	
Lachine—Gratuity to the family of the late Edward Guilbault, paymaster, Quebec Canals.....	216 66	
Generally—Increase of 25 cents per diem to the wages of lockmasters, lockmen, bridge men and ferry men of the various canals...	37,000 00	
Repairs and operating expenses .....	585,540 00	
Additional to pay persons employed perma- nently in the public service and remuneration to any other persons for services rendered for and in connection with passing vessels through the canals of the Government of Canada from midnight on Saturday to midnight on Sunday, notwithstanding anything in the Civil Service Act.....	14,400 00	
Salaries and contingencies, collectors' offices..	28,546 40	
	<u>\$694,467 06</u>	
		6,266,607 06
<b>PUBLIC WORKS.</b>		
River Trent and Newcastle district—Slides and booms— Additional amount for repairs and supplies.....	\$ 2,600 00	
Telegraph lines in British Columbia—Additional amount...	2,500 00	
Telegraph lines, Yukon system, comprising the Ashcroft- Dawson main line and branches—Working expenses...	62,000 00	
		<u>67,100 00</u>
<b>POST OFFICE.</b>		
Salaries and allowances.....	\$1,098,693 40	
Mail service .....	1,906,280 00	
Miscellaneous.....	216,000 00	
Yukon Territory .....	112,000 00	
To provide for the appointment of an assistant post office in- spector in the Vancouver division.....	1,500 00	
To provide for an additional senior 2nd class clerkship in the office of the Post Office Inspector at Winnipeg.....	900 00	
To provide for the appointment of the undermentioned tem- porary employees in city post offices as 4th class clerks, from July 1, 1903, at their present salaries, notwithstand- ing anything in the Civil Service Act:		
Montreal post office—C. Martin.....	\$ 547 00	
" N. Nadon.....	547 00	
" P. St. Jean.....	547 00	
" J. Lyons.....	547 00	
" C. V. M. Murray....	547 00	
" J. A. Mayrand.....	547 00	
Kingston post office—E. C. Hiscock.....	456 00	
Winnipeg post office—N. Gouin.....	580 00	
	<u>4,318 00</u>	
Increases of salary for post office inspectors, assistant post office inspectors and superintendents of the Railway Mail Service.....	2,950 00	

SCHEDULE—*Concluded.*

SERVICE.	Amount.	Total.
	\$ cts.	\$ cts.
COLLECTION OF REVENUE— <i>Concluded.</i>		
POST OFFICE— <i>Concluded.</i>		
To increase the salary of J. A. Madore, Assistant Post Office Inspector at Montreal to \$1,600, and the salary of H. Merrick, Post Office Inspector at Kingston, to \$2,400, from July 1, 1903, notwithstanding anything in the Civil Service Act.....	\$ 450 00	
Increases of \$50 each to 4th class clerks recently promoted from the class of stampers and sorters, such increases to date from the times when they would respectively have become entitled to increases if they had remained in their former class, notwithstanding anything in the Civil Service Act.....	3,950 00	
For promotions in city post offices—7 1st class clerkships, 5 senior 2nd class clerkships, 22 junior 2nd class clerkships, and 30 senior 3rd class clerkships.....	3,900 00	
Additional amount for salaries and allowances in outside service.....	50,000 00	
For the appointment of seven additional railway mail clerks.....	3,500 00	
	3,404,441 40	
TRADE AND COMMERCE.		
Administration of the Chinese Immigration Act, including remuneration to Trade and Commerce and Customs officers.....	\$ 4,000 00	
Canada's proportion of expenditure in connection with International Customs Tariffs Bureau.....	480 00	
Commercial agencies, including expenses in connection with negotiation of treaties or in extension of commercial relations.....	32,000 00	
Bounties on iron and steel and on the refining of lead. To cover expenditure in connection with the administration of the Acts.....	4,000 00	
	40,480 00	9,976,368 46
Total .....	.....	29,385,685 46

OTTAWA: Printed by SAMUEL EDWARD DAWSON, Law Printer to the King's most Excellent Majesty







## 3 EDWARD VII.

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### CHAP. 5.

An Act respecting the manufacture of binder twine  
in Canada.

[Assented to 24th October, 1903.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

1. The Governor in Council may authorize the payment of a bounty to any corporation, firm or person manufacturing binder twine in Canada, such bounty to be equal to the amount paid as export duty in the Philippine Islands on manila fibre produced in those islands, and used in the manufacture of binder twine in Canada,—the said bounty to be payable only in respect of binder twine manufactured on or after the first day of September, one thousand nine hundred and two: Provided, however, that the bounty shall not exceed three-eighths of one cent per pound on the manila fibre so used in the manufacture of binder twine.

Bounty on binder twine manufactured in Canada on or after September 1, 1902.

2. The Governor in Council may make regulations to carry out the intention of this Act.

Limitation.

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## 3 EDWARD VII.

### CHAP. 6.

An Act to prohibit the importation, manufacture or sale of adulterated, process or renovated butter, oleomargarine, butterine or other substitute for butter, and to prevent the improper marking of butter.

[Assented to 13th August, 1903.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

1. This Act may be cited as *The Butter Act*, 1903. Short title.
2. In this Act, unless the context otherwise requires,—
  - (a.) “Creamery” means a place where the milk or cream of not less than fifty cows is manufactured into butter ; Interpretation.  
“Creamery.”
  - (b.) “Dairy” means a place where the milk or cream of less than fifty cows is manufactured into butter in a building equipped with proper appliances ; “Dairy.”
  - (c.) “Butter” means the food product commonly known as butter, which is manufactured exclusively from milk or cream or both, with or without the addition of colouring matter, common salt, or other harmless preservative ; “Butter.”
  - (d.) “Creamery butter” means butter which is manufactured in a creamery ; “Creamery butter.”
  - (e.) “Dairy butter” means butter which is manufactured in a dairy ; “Dairy butter.”
  - (f.) “Renovated butter” or “Process butter” means any butter which has been melted, clarified or refined, and made to resemble butter. “Renovated or process butter.”

3. No person shall manufacture or import into Canada, or offer, sell or have in his possession for sale any butter containing over sixteen per cent of water. Over 16 per cent of water prohibited.

4. No person shall mix with butter any acid, alkali, chemical or any substance whatever, which is introduced or used for the purpose or with the effect of causing the butter to absorb water or any part of milk or cream. Admixture of certain substances prohibited.

Oleomargarine, etc., prohibited.

**5.** No person shall manufacture, import into Canada, or offer, sell or have in his possession for sale, any oleomargarine, butterine, or other substitute for butter, manufactured wholly or in part from any fat other than that of milk or cream.

Adulterated butter, etc., prohibited.

**6.** No person shall manufacture, import into Canada, or offer, sell, expose, or have in his possession for sale, any renovated butter, process butter, or butter which has been treated in the manner described in section 4.

Misuse of word "creamery."

**7.** No person shall brand or mark the word "creamery," or any combination of words which includes the word "creamery," upon any box, package or wrapper containing butter, unless the butter contained in the box, package or wrapper consists wholly of creamery butter manufactured at one place.

Sale of butter marked "creamery."

**8.** No person shall sell or offer, expose or have in his possession for sale, any butter contained in any box, package or wrapper upon which the word "creamery," or any combination of words which includes the word "creamery," is branded or marked, unless the butter contained in the box, package or wrapper consists wholly of creamery butter manufactured at one place.

Exception.

**9.** Nothing contained in sections 7 and 8 of this Act shall apply to butter in rolls, prints, or packages of less than twenty-five pounds in weight, not intended for export, provided the said butter is manufactured in a building equipped with the appliances used in creameries.

Penalties for violations of Act.

**10.** Every person who, by himself or through the agency of any other person, violates any of the provisions of this Act, shall, for each offence, upon summary conviction, be liable to a fine not exceeding fifty dollars, and not less than ten dollars, if such offence is a violation of any of the provisions of sections 3, 7 or 8, and not exceeding four hundred dollars, and not less than two hundred dollars, if such offence is a violation of any of the provisions of sections 4, 5 or 6, together with the costs of prosecution, and, in default of payment of such fine and costs, shall be liable to imprisonment, with or without hard labour, for a term not exceeding three months, unless such fine and the costs of enforcing it are sooner paid.

Right to examine packages.

**11.** Any person charged with the enforcement of this Act may enter any premises to make examination of stock or packages and the marking thereof, whether such stock or packages are on the premises of the manufacturer or owner, or on other premises, or in the possession of a railway or steamship company; and any person who obstructs or refuses to permit the making of any such examination shall, upon summary conviction, be liable to a penalty not exceeding five hundred dollars, and not



less than twenty-five dollars, together with the cost of prosecution, and, in default of payment of such penalty and costs, shall be liable to imprisonment, with or without hard labour, for a term not exceeding six months, unless the said penalty and costs of enforcing it are sooner paid.

**12.** In any complaint, information or conviction under this Act the matter complained of may be declared, and shall be held to have arisen, within the meaning of Part LVIII. of *The Criminal Code*, 1892, at the place where the butter was manufactured, packed, sold, offered, exposed or had in possession for sale. Place of offence.  
1892, c. 29.

**13.** No appeal shall lie from a conviction under this Act except to a superior, county, circuit or district court, or the court of the sessions of the peace having jurisdiction where the conviction was had; and such appeal shall be brought, notice of appeal in writing given, recognizance entered into, or deposit made within ten days after the date of conviction; and such trial shall be heard, tried, adjudicated upon and decided, without the intervention of a jury, at such time and place as the court or judge hearing the trial appoints, within thirty days from the date of conviction, unless the said court or judge extends the time for hearing and decision beyond such thirty days; and in all other respects not provided for in this Act the procedure under Part LVIII. of *The Criminal Code*, 1892, shall, so far as applicable, apply. Appeal.

**14.** Any pecuniary penalty imposed under this Act, shall, when recovered, be payable one-half to the informant or complainant, and the other half to His Majesty. Application of penalties.

**15.** The Governor in Council may make such regulations as he considers necessary in order to secure the efficient enforcement and operation of this Act; and may by such regulations impose penalties not exceeding fifty dollars on any person offending against them; and the regulations so made shall be in force from the date of their publication in *The Canada Gazette*, or from such other date as is specified in the proclamation in that behalf; and the violation of any such regulation shall be deemed an offence against this Act and punishable as such. Regulations by Governor in Council.





## 3 EDWARD VII.

### CHAP. 7.

An Act respecting certain aid for the extension of the Canadian Northern Railway.

[Assented to 10th July, 1903.]

**H**IS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The Government of Canada may aid and assist the extension of the railway of the Canadian Northern Railway Company from Grandview, the point where what is known as the Gilbert Plains Branch of the said railway ends, to a point at or near the town of Edmonton, a distance of about six hundred and twenty miles, also the extension which is known as the Prince Albert Branch of the said railway, from a point one hundred miles east of Prince Albert to Prince Albert, a distance of about one hundred miles, by guaranteeing the principal and interest of the first mortgage bonds, debentures, or other securities of the said Company, secured by mortgage as hereinafter mentioned, to the extent of thirteen thousand dollars per mile of the lines so aided, interest upon the said bonds, debentures or other securities to be at the rate of three per cent per annum payable half yearly, the principal to be payable in fifty years from the passing of this Act.

Government  
guarantee  
of bonds.

2. The said bonds, debentures or other securities so guaranteed shall be secured by mortgage to a trustee or trustees approved of by the Governor in Council, and shall be a first charge upon the lines of railway so aided and the rights of way, station grounds, and other real estate and interests therein, buildings and other structures and improvements, rolling stock and equipment, plant, machinery, tools, supplies, materials and other personal properties, present and future, acquired for the purposes of the said lines so aided, and in connection with operating, repairing and maintaining them, and the tolls, incomes, and revenues of the Company arising and to arise from the said lines and the rights, privileges, franchises and powers of the Company now or hereafter held in respect of and in

Security by  
first lien on  
lines aided.

Proviso: as to connection with the said lines and the operation, maintenance and repair thereof: Provided always, that, with respect to that portion of the said line from the end of the Gilbert Plains branch to the westerly boundary of Manitoba, the said guaranteed securities shall be a first charge to the extent only of ten thousand dollars per mile, but shall also rank on the said portion next after the charges heretofore created: Provided also that the said guaranteed securities shall be a charge next after a first charge of thirteen thousand dollars per mile (to be created by the Company) on that part of the said Prince Albert branch from the eastern end of the one hundred miles hereby aided to Erwood.

Lien to rank after existing charges on all property of Company. **3.** The said guaranteed securities shall also form a charge next after the charges now existing thereon upon all the line of railway of the Company now constructed and in operation and set out in the schedule hereto, and the rights of way, station grounds and other real estate and interests therein, buildings and other structures and improvements, rolling stock and equipment, plant, machinery, tools, supplies, materials and other personal properties, present and future, acquired for the purposes of the lines in this section referred to and in connection with operating, repairing and maintaining the same, and the tolls, incomes and revenues of the Company arising and to arise from the said lines and the rights, privileges, franchises and powers of the Company now or hereafter held in respect of and in connection with the said lines and the operation, maintenance and repair thereof.

Forms, etc., to be approved by Governor. **4.** The kind of securities to be guaranteed as aforesaid and the forms thereof, and the form and terms of the mortgage securing them, and the time and manner of the issue of the securities, and the form and manner of guarantee, shall be such as the Governor in Council approves of.

Signature of guarantee. **5.** The said guarantee shall be signed by the Minister of Finance or such officer as is designated by the Governor in Council to sign it; and upon its being so signed the Government of Canada shall become liable for the payment of the principal and interest of the securities so guaranteed according to the tenor thereof, and the said payment shall form a charge upon the Consolidated Revenue Fund of Canada.

Control of tolls on all lines of Company. **6.** The rates and tolls to be charged for the transfer and carriage of freight and passengers upon the lines of railway so aided and upon all the lines owned by the Canadian Northern Railway Company shall be under the control of the Governor in Council or of such authority, commission, or tribunal as is designated or constituted under any Act of the Parliament of Canada for the regulation or control of the business of railways: Provided that the rates or tolls to be charged shall not in any case be higher than the rates or tolls which may be fixed in



the contract to be made between the Government of Canada and the Canadian Northern Railway Company under this Act.

7. Any authority created by Parliament for the purpose may grant running powers over any portion of the lines hereby aided in favour of any other line of railway, upon terms considered equitable. Running powers to other lines.

8. It shall be unlawful for the Canadian Northern Railway Company to lease or sell any of its lines or any portion thereof to the Canadian Pacific Railway Company, or to amalgamate with the said company, or enter into any agreement with the said company whereby rates upon freight or passengers shall be pooled; but this provision shall not extend to traffic or running arrangements made with the assent of the Governor in Council. Agreement, etc., with C.P. R. Company prohibited. Exception.

9. Any moneys paid by the Government of Canada under the guarantee herein provided for shall be held to be paid in discharge of the liability of the Government but not in discharge of the liability of the Company under the securities so guaranteed or under the mortgage securing them, and the moneys so paid shall be held to be still secured by the said securities and mortgage, and the Government shall be subrogated in all the rights of the holders of the securities, interest upon or the principal of which has been paid by the Government, and the Government shall in respect of all moneys so paid be in all respects in the position of security holders in respect of whose securities default has been made in payment to the extent of the moneys paid by the Government. Rights of Government as to securities.

10. The books of the Company shall at all times be open to inspection for and on behalf of the Government by any person named in that behalf by the Governor in Council or the Minister of Finance. Inspection of books of Company.

## SCHEDULE.

### *Lines referred to in Section 3.*

1. Port Arthur to the crossing of the Rainy River.
2. Winnipeg to the southerly boundary of Manitoba.
3. Gladstone to Winnipegosis.
4. Sifton Junction to Erwood.
5. Gilbert Plains Branch.
6. Carman Branch.
7. Neepawa Junction to Neepawa.
8. Emerson Branch.
9. Beaver to Gladstone.
10. Stanley Junction to Gunflint.





## 3 EDWARD VII.

### CHAP. 8.

#### An Act respecting and restricting Chinese immigration.

[Assented to 10th July, 1903.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. This Act may be cited as *The Chinese Immigration Act*, Short title. 1903.

2. This Act shall come into force on the first day of January, one thousand nine hundred and four. Commencement.

3. The following Acts are repealed: chapter 32 of the statutes of 1900, and chapter 5 of the statutes of 1902.. Repeal.

4. In this Act, unless the context otherwise requires,—

(a.) The expression “Chief Controller” means the chief officer who is charged, under the direction of the Minister to whom is assigned the administration of this Act, with the duty of carrying the provisions of this Act into effect and who shall have authority over officers of Customs and others appointed for the purpose or charged with the duty of assisting in carrying out the provisions of this Act; Interpretation.  
“Chief Controller.”

(b.) The expression “Controller” means any Customs or other officer at any seaport or frontier Customs port duly appointed as such and charged with the duty of assisting in carrying the provisions of this Act into effect; “Controller.”

(c.) The expression “master” or “conductor” means any person in command of or in charge of any vessel or vehicle; “Master.”  
“Conductor.”

(d.) The expression “Chinese immigrant” means any person of Chinese origin (including any person whose father was of Chinese origin) entering Canada and not entitled to the privilege of exemption provided for by section 6 of this Act; “Chinese immigrant.”

(e.) The expression “vessel” means any sea-going craft of any kind or description capable of carrying passengers; “Vessel.”

(f.)

- "Tonnage." (f.) The expression "tonnage" means the gross tonnage according to the measurement fixed by the Merchant Shipping Acts of the Parliament of the United Kingdom;
- "Vehicle." (g.) The expression "vehicle" means any ferryboat, boat, railway car, cart, wagon, carriage, sleigh or other conveyance whatsoever, however propelled or drawn.

Powers of Governor.  
Appoint-ments.

### 5. The Governor in Council may—

Present officers.

(a.) appoint one or more persons to carry the provisions of this Act into effect;

Duties.

(b.) assign any duty in connection therewith to any officer or person in the employ of the Government of Canada;

Remuneration.

(c.) define and prescribe the duties of such officer or person;

Chinese interpreters.

(d.) fix the salary or remuneration to be allowed to such officer or person;

(e.) engage and pay interpreters skilled in the English and Chinese languages, at salaries aggregating not more than three thousand dollars a year;

Regulations.

(f.) make regulations for the carrying out of this Act.

Tax payable by Chinese immigrants.

6. Every person of Chinese origin, irrespective of allegiance, shall pay into the Consolidated Revenue Fund of Canada, on entering Canada, at the port or place of entry, a tax of five hundred dollars, except the following persons who shall be exempt from such payment, that is to say:—

Exemptions.

(a.) The members of the Diplomatic Corps, or other Government representatives, their suites and their servants, and consuls and consular agents;

(b.) The children born in Canada of parents of Chinese origin who have left Canada for educational or other purposes, on substantiating their identity to the satisfaction of the controller at the port or place where they seek to enter on their return;

(c.) Merchants, their wives and children, the wives and children of clergymen, tourists, men of science and students, who shall substantiate their status to the satisfaction of the controller, subject to the approval of the Minister, or who are bearers of certificates of identity, specifying their occupation and their object in coming into Canada, or other similar documents issued by the Government or by a recognized official or representative of the Government whose subjects they are;

(d.) In the case of a person of Chinese origin who is the personal attendant or servant of a British subject visiting Canada, the tax payable under the first subsection of this section may be refunded to the person paying the same, upon his furnishing satisfactory evidence that such Chinese attendant or servant is leaving the port of entry with his employer or master, on his return to China, if within twelve months of the date of his arrival in Canada, and upon returning to the controller of such port the certificate granted under section 13.

Certificate proving exemption.

2. Every such certificate or other document shall be in the English or French language, and shall be examined and



endorsed (*visé*) by a British consul or Chargé d'Affaires or other accredited representative of His Majesty, at the place where it is granted, or at the port or place of departure.

3. Persons of Chinese origin claiming on their arrival to be students, but who are unable to produce the requisite certificate as hereinbefore provided for, shall be entitled to a refund of the tax exacted from them on the production within eighteen months from the date of their arrival in Canada of certificates from teachers in any school or college in Canada showing that they are and have been for at least one year bona fide students in attendance at such school or college. As to students.

4. Any woman of Chinese origin who is the wife of a person who is not of Chinese origin shall for the purpose of this Act be deemed to be of the same nationality as her husband; and the children of the said wife and husband shall be deemed to be of the same nationality as the father. Chinese wives of foreigners.  
Children.

5. Nothing in this Act shall be construed as embracing within the meaning of the word "merchant," any merchant's clerk, or other employee, mechanic, huckster, pedlar, or person engaged in taking, drying or otherwise preserving fish for home consumption or exportation. Term "merchant" limited.

7. No vessel carrying Chinese immigrants to any port in Canada shall carry more than one such immigrant for every fifty tons of its tonnage; and the owner of any such vessel who carries any number in excess of the number allowed by this section shall incur a penalty of two hundred dollars for each Chinese immigrant so carried in excess of such numbers. Number of Chinese immigrants in any vessel.

2. No Chinese immigrants shall be allowed to land in or enter Canada, coastwise or overland arriving in transit from any port or place in America from any vessel entering at such port or place, in excess of the number which would have been allowed to land from such vessel had it come direct to Canada. If not coming direct to Canada.

8. No master of any vessel carrying Chinese immigrants shall land any person of Chinese origin, or permit any to land from such vessel, until a permit so to do, stating that the provisions of this Act have been complied with, has been granted to the master of such vessel by the controller; and every master of a vessel who violates the provisions of this section shall incur a penalty of five hundred dollars. No Chinese to be landed until permit is obtained.  
Penalty.

2. The landing of a person of Chinese origin from a vessel wherever referred to in this Act shall not be held to apply to the landing of such person on the wharf and the placing of him in a proper building where he may remain until the provisions of this Act have been complied with and the controller has given his authority for his departure therefrom, or to the temporary landing of any Chinese sailor for the purpose of assisting in the lading or unlading of the vessel to which he belongs or for the purpose of his transfer to another vessel, and such person or sailor, while in such building or while so employed or waiting such transfer, shall for the purposes of "Landing" defined.

this Act be held to be on board the vessel by which he arrived ; this provision, however, shall not allow the placing of such person in such building until all quarantine requirements have been complied with.

Bill of health  
to be obtained.

**9.** No controller at any port shall grant a permit allowing Chinese immigrants to land, until the quarantine officer has granted a bill of health and has certified, after due examination, that no leprosy or infectious, contagious, loathsome or dangerous disease exists on board such vessel ; and no permit to land shall be granted to any Chinese immigrant who is suffering from leprosy or from any infectious, contagious, loathsome or dangerous disease.

No permit in  
certain cases.

Liability and  
duty of  
conductor of  
railway train  
as to payment  
of tax.

**10.** Every conductor or other person in charge of any railway train or car bringing Chinese immigrants into Canada shall be personally liable to His Majesty for the payment of the duty tax imposed by section 6 of this Act in respect of any immigrant brought by or on such railway train or car, and shall deliver, immediately on his arrival, to the controller or other proper officer at the port or place of arrival, a report in the same terms as is required to be made by section 15 of this Act by the master of a vessel, of all persons of Chinese origin arriving by or being on board of the railway train or car of which he is in charge, and shall, unless such persons are in transit through Canada, pay or cause to be paid to the controller the total amount of the tax payable by Chinese immigrants so arriving by such railway train or car, and he shall not allow any such immigrants to disembark from such train or car until after such report has been made and such tax has been paid.

Chinese enter-  
ing Canada  
otherwise  
than by vessel  
or vehicle.

**11.** Every Chinese immigrant who enters Canada otherwise than by disembarking from any vessel or vehicle, shall forthwith make a statement and declaration of his entry to the controller or other proper officer at the nearest or most convenient port or place, and shall forthwith pay to such controller or officer the tax of five hundred dollars imposed by this Act ; and if the statement and declaration is made to an officer other than a controller authorized to keep a register, such officer shall report the fact and transmit the tax to the chief controller or to the nearest controller so authorized, and the controller shall make a record thereof in his register and issue the proper certificate of such registration in conformity with the provisions of section 13 of this Act.

Certain  
immigrants  
prohibited.

**12.** No controller or other officer charged with the duty of assisting in carrying the provisions of this Act into effect shall grant a permit allowing to land from any vessel, nor shall any conductor or other person in charge of any vehicle bring into Canada, either as an immigrant or as an exempt, or as in transit, any person of Chinese origin who is—

- (a.) a pauper or likely to become a public charge ;
- (b.) an idiot or insane ;
- (c.) suffering from any loathsome, infectious or contagious disease ;
- (d.) a prostitute or living on the prostitution of others.

2. All such persons are prohibited from entering Canada ; Penalty. and if they enter they shall be liable to imprisonment for a term not exceeding six months, and shall in addition be liable to deportation, and the master, conductor or other person who knowingly lands or brings or assists or permits to land in Canada, any such persons of Chinese origin, shall also be liable to a penalty not exceeding two hundred dollars, or to imprisonment for a term not exceeding six months.

13. The controller shall deliver to each Chinese immigrant who has been permitted to land or enter, and in respect of whom the tax has been paid as hereinbefore provided, a certificate containing a description of such individual, the date of his arrival, the name of the port of his landing and an acknowledgment that the duty has been duly paid ; and such certificate shall be prima facie evidence that the person presenting it has complied with the requirements of this Act ; but such certificate may be contested by His Majesty, or by any officer charged with the duty of carrying this Act into effect, if there is reason to doubt the validity or authenticity thereof, or of any statement therein contained ; and such contestation shall be heard and determined in a summary manner by any judge of a superior court of any province of Canada where such certificate is produced. Certificate to be delivered to immigrant permitted to land. Its effect ; but may be contested. How decided.

14. The chief controller, and such controllers as are by him authorized so to do, shall each keep a register of all persons to whom certificates of entry have been granted. Registers of certificates.

15. Every master of any vessel bringing Chinese immigrants to any port or place in Canada shall be personally liable to His Majesty for the payment of the tax imposed by this Act in respect of any such immigrant carried by such vessel, and shall deliver, together with the total amount of such tax, to the controller, immediately on his arrival in port and before any of his Chinese crew or passengers disembark, a complete and accurate list of his crew and such passengers, showing their names in full, the country and place of their birth, and the occupation and last place of domicile of each of such immigrant passengers. Liability of masters as to payment of tax.

16. Every master or conductor of any vessel or vehicle who lands or allows to be landed off or from any vessel or vehicle any Chinese immigrant before the tax payable under this Act has been duly paid, or who wilfully makes any false statement respecting the number of persons on board his vessel or vehicle, shall, in addition to the amount of the tax payable under the foregoing Penalty for landing Chinese before tax is paid.



Forfeiture  
of vessel or  
vehicle.

foregoing provisions of this Act, be liable to a penalty not exceeding one thousand dollars and not less than five hundred dollars for every such offence, and in default of payment to imprisonment for a term not exceeding twelve months; and such vessel or vehicle shall be forfeited to His Majesty, and shall be seized by an officer charged with the duty of carrying this Act into effect, and dealt with accordingly.

Conditions  
as to passage  
through  
Canada.

**17.** Persons of Chinese origin may pass through Canada in transit from one port or place out of Canada to another port or place out of Canada without payment of the tax provided for by section 6 of this Act, provided that such passage is made in accordance with and under such regulations as are made for the purpose by the Governor in Council; and any railway or other transportation company which undertakes to transport such persons through Canada, and fails to comply with such regulations, shall be subject to a penalty not exceeding five hundred dollars.

Penalty for  
non-compli-  
ance by  
transportation  
company.

Registration  
of Chinese  
leaving  
Canada and  
wishing to  
return.

**18.** Every person of Chinese origin who wishes to leave Canada, with the declared intention of returning thereto, shall give written notice of such intention to the controller at the port or place whence he purposes to sail or depart, in which notice shall be stated the foreign port or place which such person wishes to visit, and the route he intends taking both going and returning, and such notice shall be accompanied by a fee of one dollar; and the controller shall thereupon enter in a register to be kept for the purpose, the name, residence, occupation and description of the said person, and such other information regarding him as is deemed necessary under such regulations as are made for the purpose.

Refund of tax  
on return  
within twelve  
months.

**2.** The person so registered shall be entitled on his return, if within twelve months of such registration, and on proof of his identity to the satisfaction of the controller (as to which the decision of the controller shall be final) to free entry as an exempt or to receive from the controller the amount of the tax, if any, paid by him on his return; but if he does not return to Canada within twelve months from the date of such registration, he shall, if returning after that date, be subject to the tax payable under the provisions of section 6 of this Act in the same manner as in the case of a first arrival.

Penalty on  
Chinese for  
evading this  
Act.

**19.** Every person of Chinese origin who wilfully evades or attempts to evade any of the provisions of this Act as respects the payment of the tax, by personating any other individual, or who wilfully makes use of any forged or fraudulent certificate to evade the provisions of this Act, and every person who wilfully aids or abets any such person of Chinese origin in any evasion or attempt at evasion of any of the provisions of this Act, is guilty of an indictable offence, and liable to imprisonment for a term not exceeding twelve months, or to a fine not exceeding five hundred dollars, or to both.

And for  
aiding in  
evasion.



**20.** Every person who takes part in the organization of any sort of court or tribunal composed of Chinese persons, for the hearing and determination of any offence committed by a Chinese person, or in carrying on any such organization, or who takes part in any of its proceedings, or who gives evidence before any such court or tribunal, or assists in carrying into effect any decision, decree, or order of any such court or tribunal, is guilty of an indictable offence and liable to imprisonment for any term not exceeding twelve months, or to a fine not exceeding five hundred dollars, or to both; but nothing in this section shall be construed to prevent Chinese persons from submitting any differences or disputes to arbitration, provided such submission is not contrary to the laws in force in the province in which such submission is made.

Penalty for organizing, etc., unlawful courts as to offences by Chinese.

Proviso: as to arbitrations.

**21.** Every person who molests, persecutes or hinders any officer or person appointed to carry the provisions of this Act into effect is guilty of an indictable offence and liable to imprisonment for a term not exceeding twelve months, or to a fine not exceeding five hundred dollars, or to both.

Penalty for molesting officers.

**22.** Every person who violates any provision of this Act for which no special punishment is herein provided, is guilty of an indictable offence, and liable to a fine not exceeding five hundred dollars, or to imprisonment for a term not exceeding twelve months.

Penalty for other contraventions.

**23.** All suits or actions for the recovery of taxes or penalties under this Act, and all prosecutions for contraventions of this Act which are not herein declared to be indictable offences, shall be tried before one or more justices of the peace, or before the recorder, police magistrate or stipendiary magistrate having jurisdiction where the cause of action arose or where the offence was committed.

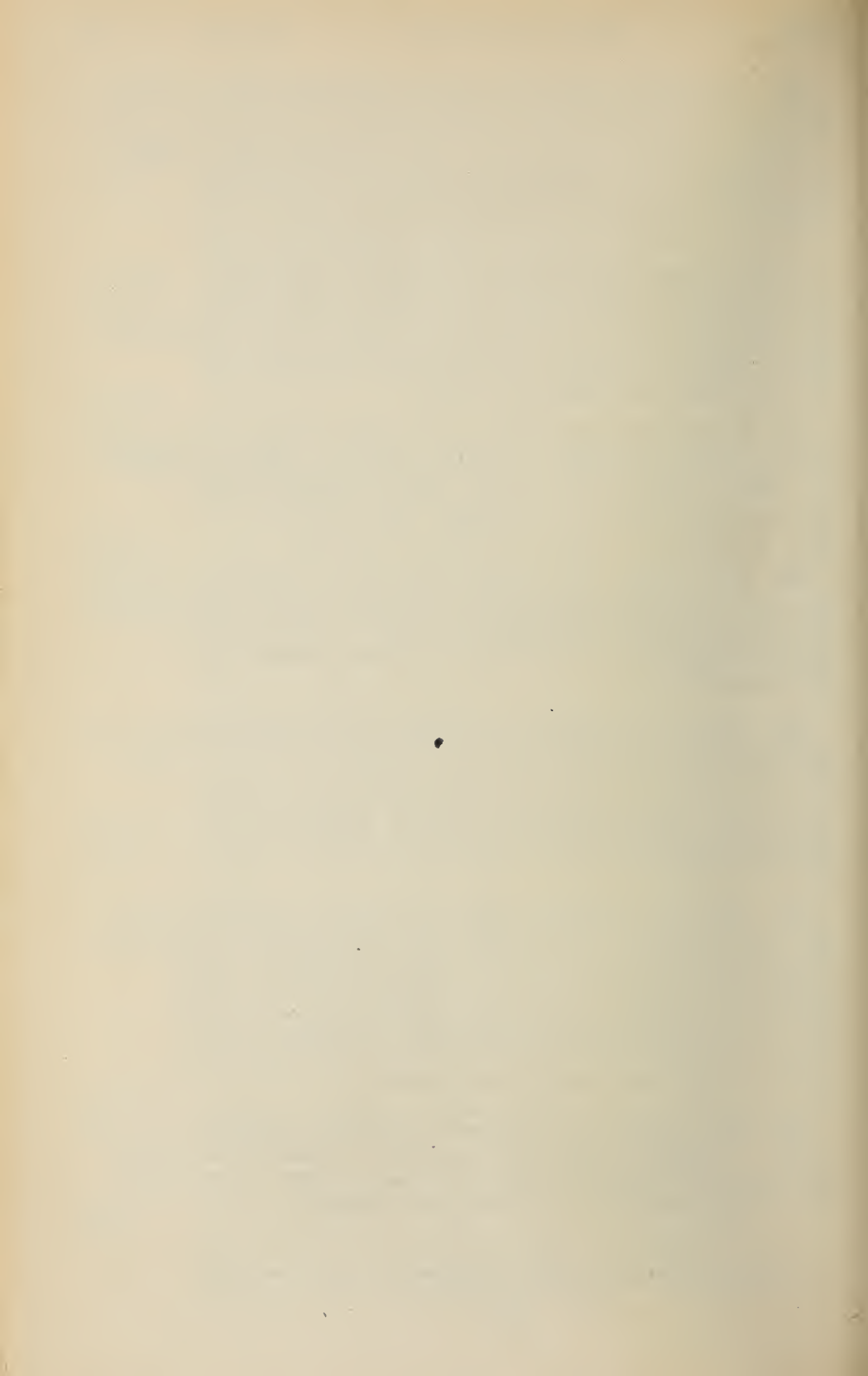
Before whom suits may be brought.

**24.** All taxes, pecuniary penalties, and revenues from other sources under this Act shall be paid into and form part of the Consolidated Revenue Fund of Canada; but, subject to such conditions and regulations as are prescribed by order of the Governor in Council, one-half part of the net proceeds of all such taxes paid by Chinese immigrants on entering Canada shall, at the end of every fiscal year, be paid out of such fund to the province wherein they were collected.

Application of taxes, etc.

**25.** The Governor in Council may make such regulations as are necessary to prohibit the entry into Canada of any greater number of persons from any foreign country than the laws of such country permit to emigrate to Canada.

Limitation of immigration from any country.





## 3 EDWARD VII.

### CHAP. 9.

#### An Act to amend the Civil Service Act.

[Assented to 24th October, 1903.]

**H**IS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Paragraph (b.) of section 2 of *The Civil Service Act*, R.S.C., c. 17, s. 2 amended. chapter 17 of the Revised Statutes, is amended by inserting after the word “department,” in the third line, the words “and also the Clerk of the Privy Council.”

2. Section 12 of the said Act is repealed, and the following New s. 12. is substituted therefor:—

“12. The salary of a Deputy Head of a department, or of Salaries of deputy heads. a person having by statute the rank of a Deputy Head, on appointment shall be three thousand five hundred dollars per annum, with an annual increase of one hundred dollars to a maximum salary of four thousand dollars per annum, such increase to be made by the Governor in Council on the recommendation of the Head of the department: Provided, however, that the Deputy of the Minister of Justice, if at the time of his appointment he is a barrister of at least ten years’ standing, and the Deputy of the Minister of Finance and Receiver General, if at the time of his appointment he has been at least ten years in the service of one or more of the chartered banks of Canada as general manager or as a manager of a branch of such bank, or in both capacities, and the Deputy of the Minister of Railways and Canals, if at the time of his appointment he is a civil engineer of at least ten years’ standing, may be paid one thousand dollars per annum in addition to the amounts hereinbefore provided for.”

3. For the purpose of determining the salaries of the present As to present Deputy Heads Deputy Heads, and of persons having by statute the rank of a Deputy Head, such Deputy Heads and persons shall be credited their period of service, either as Deputy or in some other capacity

city in the public service, and shall thereafter be paid such salary as they would by length of service have become entitled to had they been appointed under the provisions of section 12 of *The Civil Service Act*, as amended by this Act: Provided that notwithstanding anything to the contrary in this Act, the salary of the present Deputy Minister of Finance so long as he remains in office shall be the maximum salary for the Deputy of that department as authorized by this Act.

As to Deputy Heads not now entitled to maximum salary.

4. If any Deputy Head or such other person having by statute the rank of a Deputy Head is not in receipt of the maximum salary of four thousand dollars, his salary may be increased by yearly increases of one hundred dollars each until he receives the said maximum salary.

Certain salaries not affected.

5. Nothing in this Act shall operate to diminish the salary or emolument of any present Deputy Head or person having by statute the rank of a Deputy Head, who, at the passing of this Act, is in receipt of a salary larger than would be payable to him under this Act.

As to present Deputy Minister of Justice.

6. This Act shall not apply to the present Deputy of the Minister of Justice until the conclusion of his present engagement as one of the commissioners for the revision of the statutes of Canada.

New s. 13.

7. Section 13 of *The Civil Service Act* is repealed, and the following section is substituted therefor:—

Duties and powers of Deputy Head.

“13. The Deputy Head of each department shall, subject to the directions of the Head of the department, oversee and direct the officers, clerks and employees in the department, and shall have general control of the business thereof, and shall perform such other duties as are assigned to him by the Governor in Council. He shall give his full time to the public service and shall discharge all duties required by the Head of the department, or by the Governor in Council, whether such duty is in his own department or not; and no Deputy Head shall receive any pay, fee or allowance in any form in excess of the amount provided for him in section 12 of this Act.”

Chief clerkships, Grade A.

8. In addition to the class of Chief Clerkships referred to in sections 15 and 16 of the said Act, another class, to be known as that of “Chief Clerkship, Grade A,” is hereby created.

Salary.

2. The minimum salary paid to a Chief Clerk, Grade A, shall be two thousand four hundred dollars per annum, with annual increases of one hundred dollars up to a maximum of two thousand eight hundred dollars per annum.

Conditions of promotions to Grade A.

3. A Chief Clerk in any department may, without being required to undergo any special or other examination, be promoted to Grade A by an Order in Council passed after—



(a.) The Deputy Head has reported that the duties devolving upon such officer are of special importance, and that the officer recommended for such promotion is specially qualified for their performance;

(b.) The concurrence of the Head of the department in such report; and

(c.) The salary has been voted by Parliament.

4. If a person on appointment to a Chief Clerkship, Grade A, is at the time of such appointment in receipt of a salary greater than the minimum salary of such Chief Clerkship as above provided, he may be appointed to such Chief Clerkship at the salary he is then in receipt of, provided it does not exceed the maximum salary of such Chief Clerkship as above provided.

5. The provisions of subsection 3 of section 24 of *The Consolidated Revenue and Audit Act*, as that section is enacted by section 1 of chapter 16 of the statutes of 1891, shall apply to promotions to Chief Clerkships, Grade A, in the office of the Auditor General, who shall also have in respect of such promotions the powers hereby vested in the Governor in Council.

In office of Auditor General.

9. Section 16 of *The Civil Service Act* is repealed, and the following is substituted therefor:—

New s. 16.

“16. The minimum salary of a Chief Clerk shall be one thousand nine hundred dollars per annum, with an annual increase of fifty dollars up to a maximum of two thousand five hundred dollars per annum.”

Salary of chief clerk.

10. Section 18 of *The Civil Service Act* is repealed, and the following is substituted therefor:—

New s. 18.

“18. The minimum salary of a First Class Clerk shall be one thousand five hundred dollars per annum, with an annual increase of fifty dollars up to a maximum of one thousand nine hundred dollars per annum.”

Salary of first class clerk.

11. Section 20 of *The Civil Service Act* is repealed, and the following is substituted therefor:—

New s. 20.

“20. The minimum salary of a Second Class Clerk shall be one thousand two hundred dollars per annum with an annual increase of fifty dollars up to a maximum of one thousand and five hundred dollars per annum.”

Salary of second class clerk.

12. Section 4 of chapter 14 of the statutes of 1900 is repealed, and the following is substituted therefor:—

1900, c. 14, new s. 4.

“4. The minimum salary of a Junior Second Class Clerk shall be eight hundred dollars per annum, with an annual increase of fifty dollars up to a maximum of one thousand one hundred dollars per annum.”

Salary of junior second class clerks.

13. Nothing in this Act shall be held to reduce the status of any clerk in the Service; and if the salary of any such clerk is less than the minimum salary of his class under the provisions

Status not to be affected.

sions of this Act, his salary may forthwith be increased to such minimum.

Increase  
beyond former  
maximum.

2. Any person (whether permanent or temporary) who is in receipt of the maximum salary, as heretofore established, of the class (permanent or temporary) in which he is then serving shall, on the expiry of one year from his having first been in receipt of such maximum, be eligible for the increase of salary provided by this Act.

R.S.C., c. 17,  
schedule A  
amended.

14. Schedule A to *The Civil Service Act*, as amended by section 12 of chapter 15 of the statutes of 1895, and by section 1 of chapter 14 of the statutes of 1900, is amended by adding thereto the following paragraph :—

Third class  
clerks.

“(g.) Third Class Clerks.”

Examina-  
tions.

15. The second or “qualifying” examination prescribed by *The Civil Service Act* shall qualify for appointment to Third Class Clerkships, and no person, except as hereinafter specially provided, shall be appointed to any such clerkship unless he has passed such “qualifying” examination, or unless he is exempt therefrom by the said Act.

Salary.

16. The minimum salary of a Third Class Clerk shall be five hundred dollars per annum, and the maximum salary shall be seven hundred dollars per annum.

Salary on  
appointment.

17. Except as hereinafter provided, the salary of a Third Class Clerk on appointment shall be the minimum salary hereinbefore provided for.

Annual  
increases.

18. The Governor in Council may, after a Third Class Clerk has served one year, increase his salary, by amounts not exceeding fifty dollars in any one year, up to the maximum salary of a Third Class Clerk hereinbefore provided for; but no such increase shall be made except upon the report of the Deputy Head of the department, concurred in by the Head of the department, that such clerk is deserving thereof.

Application of  
R.S.C., c. 17.

19. Except as herein otherwise provided, the provisions of *The Civil Service Act* and any amendments thereto shall apply to Chief Clerks, Grade A, and to Third Class Clerks appointed under this Act, and the said Act and amendments shall be read and construed as if the provisions of this Act were incorporated therein.

Appointment  
of certain  
employees as  
third class  
clerks.

20. Any person who either before the passing of this Act was or thereafter may be writer, clerk, packer, sorter or messenger, temporary or otherwise, in the service of the Government of Canada, employed in one of the departments at Ottawa, or in the office of the Auditor General, may, under Order in Council, be appointed a Third Class Clerk at a salary not less than the salary of which he was in receipt or to which he

would be entitled at the time of such appointment (but limited always to a sum not exceeding the maximum salary of the Third Class): Provided always that any such person, who in the capacity aforesaid, or in any other capacity, has been continuously in the said service for two years prior to the passing of this Act, may be so appointed without regard to his age and without passing the qualifying examination, and the said Order in Council shall be held to create the Third Class Clerkship in respect of which such appointment is made, and the Governor in Council may, in the case of any such person whose salary is at the time of his appointment as Third Class Clerk less than five hundred dollars a year, increase such salary to five hundred dollars a year, on the report of the Deputy Head of the department, concurred in by the Head of the department, that such clerk is deserving thereof.

**21.** Section 37 of the said Act is repealed, and the following New s. 37.  
is substituted therefor:—

“**37.** When the Deputy Head of a department in which a vacancy occurs reports, for reasons set forth in such report,—  
“(a.) That the qualifications requisite for such office or employment are wholly or in part professional or technical; As to officers requiring special qualifications.

“(b.) That it would be for the public interest that the examination herein provided for should, as regards such vacancy, be wholly or partially dispensed with;

“The Governor in Council may, without reference to the age of the person, if the Head of the department concurs in such report, select and appoint such person as is deemed best fitted to fill the vacancy, subject to such examination as is suggested in the report. Selection and appointment.

“**2.** City Postmasters and Post Office Inspectors, Inspectors, Collectors and Preventive Officers in the Customs Department, Inspectors of Weights and Measures, and Deputy Collectors and Preventive Officers in the Inland Revenue Department, may be appointed without examination and without reference to the rules for promotion herein prescribed. Exception as to certain officers.

“**3.** Notwithstanding anything in this Act, a person who has served for three years as an officer or acting officer in the Customs in the outside service, may be appointed to the position of Examining Officer in the outside service of the Customs, subject to such examination, in duties of office and other qualifications, as is prescribed by the Deputy Head in a report to be concurred in by the Head of the department.” As to examining officers of Customs.

**22.** Subsection 2 of section 39 of the said Act, as that section is enacted by section 8 of chapter 12 of the statutes of 1888, is amended by striking out the word “only” in the second line, and by inserting after the word “May” in that line the words “and at such other time as is from time to time fixed by the Governor in Council.” Section 39 amended.



R.S.C., c. 17,  
schedule B  
amended.

**23.** So much of Schedule B to *The Civil Service Act* as is included under the heading "CUSTOMS," as enacted by section 14 of chapter 12 of the statutes of 1888, is repealed, and the following is substituted therefor:—

"CUSTOMS.

"*Higher Classes.*

Inspectors.....	Salary from \$1,600 to \$2,500
Collectors.....	" 300 " 4,000
Chief Clerks.....	" 1,200 " 2,000
Surveyors.....	" 1,200 " 2,400
Assistant Surveyors (comprising Tide Surveyors, Chief Landing Waiters and Chief Lockers).....	" 800 " 1,200

"*Technical Officers.*

Appraisers. ....	Salary from \$ 800 to \$2,000
Assistant Appraisers.....	" 600 " 1,500
Gaugers .....	" 600 " 1,200

"*Other Classes.*

Clerks.....	Salary from \$ 400 to \$1,200
Examining Officers (including Lockers and Landing waiters). ....	" 400 " 1,000
Packers, Messengers and Tide Waiters. ....	" 300 " 600."

Schedule B  
further  
amended.

**24.** So much of Schedule B to *The Civil Service Act* as is included under the heading "INLAND REVENUE," as enacted by section 3 of chapter 12 of the statutes of 1889, is repealed, and the following is substituted therefor:—

"INLAND REVENUE.

Inspectors.....	Salary from \$1,600 to \$2,500
Collectors. ....	" 500 " 2,400
Deputy collectors.....	" 400 " 1,700
Accountants.....	" 600 " 1,500
Special class excisemen (Chief officers in charge of distilleries).....	" 1,400 " 1,800
Special class excisemen, other than as above. ....	" 1,200 " 1,400
First, second and third class excisemen. ....	" 600 " 1,200
Probationary excisemen.....	" 500
Stenographers and typewriters.....	" 400 " 600
Messengers.....	" 400 " 750

To which may be added for surveys of important manufactories an additional salary, for the special class excisemen and other officers connected with such survey, not exceeding in any one case two hundred dollars per annum."

Increase of  
salary in  
Departments  
of Customs  
and Inland  
Revenue.

**25.** The Governor in Council may grant such increases of salary in the Departments of Customs and Inland Revenue as are by this Act authorized, upon the report of the Deputy Head of the department, concurred in by the Head of the department, that the person recommended for such increase is deserving thereof.

Section 29  
amended.

**26.** The words "Third class clerkships and the office of exciseman in the second division for Inland Revenue service,"



in the twenty-fifth and twenty-sixth lines of section 29 of *The Civil Service Act*, are repealed, and the following words are substituted therefor:—"Third class excisemen, and stenographers or typewriters in the second division of the Inland Revenue service."

**27.** The remuneration of messengers, porters, packers and sorters (temporary or permanent) and of temporary clerks and writers shall be on appointment five hundred dollars, and may be increased by annual sums not exceeding fifty dollars up to a maximum of seven hundred dollars a year, such increases to be granted only upon an Order in Council passed upon the report of the Deputy Head of the department, concurred in by the Head of the department, that the person recommended therefor is eligible for such increase and is deserving thereof; and the Governor in Council may in the case of any such temporary clerk, writer, messenger, porter, packer and sorter, whose salary is less than five hundred dollars per annum, increase such salary to five hundred dollars per annum, on the report of the Deputy Head, concurred in by the Head of the department, that such clerk is deserving thereof.

Remuneration  
of messengers,  
etc.

**2.** Section 10 of chapter 15 of the statutes of 1895 and section 10 of chapter 14 of the statutes of 1900 are repealed.

Repeal.'

**28.** All sums of money voted by Parliament for the financial year ending on the thirtieth day of June, 1904, and applicable for the payment of the salaries or the increases to the salaries of any persons in the public service, shall, in the event of the promotion of any such persons to higher classes or grades, or on their transfer to other positions in the public service, or their becoming entitled to, or being granted, increases of salary under the provisions of this Act, be applicable in or towards payment of the salaries or increases to the salaries of such persons so promoted or transferred, or becoming entitled to or being granted increases as aforesaid; and during the financial year ending on the thirtieth day of June, 1904, there may be paid from and out of the Consolidated Revenue Fund of Canada such sums of money as have not been voted by Parliament but are required for payment of such salaries and increases of salaries as are authorized by this Act.

Appropriation  
of moneys.





## 3 EDWARD VII.

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### CHAP. 10.

#### An Act to amend the Civil Service Superannuation Act.

[Assented to 25th June, 1903.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

1. The period of service upon which a superannuation allowance is to be calculated under the provisions of *The Civil Service Superannuation Act*, chapter 18 of the Revised Statutes, or any Act in amendment thereof, shall be determined as follows :—

Reckoning  
of time of  
service.

R.S.C., c. 18.

(a.) If the actual period of service includes a fraction of a year less than one-half, such service shall be taken to be the number of years served, not including the fraction ; and

Fraction of  
year under  
half.

(b.) If the actual period of service includes a fraction of a year equal to or greater than one-half, such fraction shall be deemed to be a full year, and service shall be calculated as if the full year had been served.

Half year  
or over.

2. All superannuation allowances heretofore granted under the provisions of chapter 4 of the statutes of 1870, or chapter 8 of the statutes of 1883, or chapter 18 of the Revised Statutes, or of any amendment to any of those chapters, calculated in the manner provided for in the first section of this Act, are hereby confirmed.

Existing  
superannua-  
tions  
confirmed.

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## 3 EDWARD VII.

### CHAP. II.

#### An Act respecting Infectious or Contagious Diseases affecting Animals.

[Assented to 13th August, 1903.]

**H**IS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

#### SHORT TITLE.

**1.** This Act may be cited as *The Animal Contagious Diseases Act, 1903.* Short title.

#### INTERPRETATION.

- 2.** In this Act, unless the context otherwise requires,—
- (a.) The expression “the Minister” means the Minister of Agriculture; Interpretation.  
“Minister.”
- (b.) The expression “foreign animals” means animals not already introduced into Canadian territory, outside of quarantine stations; “Foreign animals.”
- (c.) The expression “contagious” means communicable by close contact or inoculation; “Contagious.”
- (d.) The expression “infectious” means communicable in any manner; “Infectious.”
- (e.) The expression “infectious or contagious disease” includes, in addition to other diseases generally so designated, glanders, farcy, pleuro-pneumonia contagiosa, foot and mouth disease, rinderpest, anthrax, Texas fever, hog cholera, swine plague, mange, scab, rabies, tuberculosis, actinomycosis, and variola ovina. “Infectious or contagious disease.”

#### DUTIES OF OWNERS OF ANIMALS.

**3.** Every owner of animals and every breeder of or dealer in animals, and every one bringing animals into Canada, shall, on perceiving the appearance of infectious or contagious disease among the animals owned by him or under his special care, give immediate notice to the Minister and to the nearest veterinary or his officers

Notice of disease to be given to Minister of Agriculture by breeders or any veterinary or his officers

erinary inspector of the Department of Agriculture, of the facts discovered by him as aforesaid.

Veterinary  
surgeon to  
give notice.

2. Any veterinary surgeon practising in Canada shall, immediately on ascertaining that an animal is labouring under an infectious or contagious disease, give similar notice to the Minister and to the nearest veterinary inspector.

Penalty for  
neglect to  
give notice.

3. Every person neglecting to give notice as required by this section shall be liable to a penalty not exceeding two hundred dollars.

Penalty for  
neglect.

4. Every owner of such diseased animals who neglects to comply with the provisions of the next preceding section shall forfeit his claim to compensation for any animals slaughtered in accordance with the provisions of this Act, and no such compensation shall be granted to him; and every person who conceals the existence of infectious or contagious disease among animals, shall incur a penalty not exceeding two hundred dollars.

Or fraudulent  
concealment  
of disease.

Penalty for  
keeping dis-  
eased animals  
in places not  
enclosed.

5. Every person who turns out, keeps or grazes any animal knowing it to be infected with or labouring under any infectious or contagious disease, or to have been exposed to infection or contagion, in or upon any forest, wood, moor, beach, marsh, common, waste-land, open field, roadside or other undivided or unenclosed land, shall, for every such offence, incur a penalty not exceeding two hundred dollars.

Penalty for  
bringing such  
animals to  
market, etc.

6. Every person who brings or attempts to bring into any market, fair or other place, any animal known by him to be infected with or labouring under any infectious or contagious disease, shall, for every such offence, incur a penalty not exceeding two hundred dollars.

Penalty for  
selling or  
putting off  
such animals,  
etc.

7. Every person who sells or disposes of, or puts off, or offers or exposes for sale, or attempts to dispose of or put off any animal infected with or labouring under any infectious or contagious disease, or the meat, skin, hide, horns, hoofs or other parts of an animal infected with or labouring under any infectious or contagious disease at the time of its death, whether such person is the owner of the animal, or of such meat, skin, hide, horns, hoofs or other parts of such an animal, or not, shall, for every such offence, incur a penalty not exceeding two hundred dollars.

For throwing  
carcass into  
rivers, etc.

8. Every person who throws or places, or causes or suffers to be thrown or placed, in any river, stream, canal, navigable or other water, or in the sea, within ten miles of the shore, the carcass of an animal which has died of disease, or which has been slaughtered as diseased or suspected of disease, shall, for every such offence, incur a penalty not exceeding two hundred dollars.

9. Every person who, without lawful authority or excuse, digs up or causes or allows to be dug up the buried carcass of an animal which has died or is suspected of having died from infectious or contagious disease, or which has been slaughtered as diseased or as suspected of disease, shall, for every such offence, incur a penalty not exceeding two hundred dollars.

For digging up any such carcass when buried.

10. If any animal infected with or labouring under any infectious or contagious disease, or suspected of being so affected is sold, disposed of, or put off, or is exposed or offered for sale in any place, or is brought or attempted to be brought for the purpose of being exposed or offered for sale in any market, fair or other open or public place where other animals are commonly exposed for sale, any clerk or inspector, or other officer of the fair or market, or any constable or policeman, or any other person authorized by the mayor or reeve, or by any justice of the peace having jurisdiction in the place, or any person authorized or appointed by the Minister, may seize the animal and report the seizure to the mayor or reeve, or to any justice of the peace having jurisdiction in the place; and such mayor, reeve or justice, or person authorized or appointed by the Minister, may, after veterinary examination and verification, cause the animal, together with any pens, hurdles, troughs, litter, hay, straw or other articles which he judges likely to have been infected thereby, to be forthwith destroyed, or otherwise disposed of, in such manner as he deems proper, or as is directed, as provided by this Act.

Such animals if offered for sale to be seized and reported to the mayor, etc.

Who may cause them, with things supposed infectious, to be destroyed.

#### SLAUGHTERING DISEASED CATTLE.

11. The Minister may, from time to time, cause to be slaughtered animals suffering from infectious or contagious disease or suspected of being so affected, and animals which are or have been in contact with or close proximity to a diseased animal, or an animal suspected of being affected by infectious or contagious disease.

Slaughtering diseased animals.

12. The Governor in Council may order a compensation to be paid to the owners of animals slaughtered under the provisions of this Act.

Compensation to owners.

2. When the animal slaughtered is affected with infectious or contagious disease, the compensation, if any, shall be one-third of the value of the animal before it became so affected, but shall not exceed, in the case of grade animals, twenty dollars, and in the case of pure bred animals, sixty dollars.

If animal was diseased.

3. When the animal slaughtered is not itself affected but has been in contact with, or in dangerous proximity to, diseased animals, the compensation, if any, shall be three-fourths of the value of the animal, but shall not exceed, in the case of grade animals, fifty dollars, and in the case of pure-bred animals, one hundred and fifty dollars; provided that when it is clearly shown that an animal has been slaughtered on in-

If animal was in contact with diseased animals, but is not itself diseased.



sufficient grounds, and that the slaughter was not in accordance with, or justifiable under this Act, the owner shall be entitled to compensation at the full value of the animal so slaughtered.

Valuation,  
by whom.

4. In all cases, the value of the animal shall be determined by the Minister or by some person appointed by him.

Compensation  
may be with-  
held in certain  
cases.

5. Such compensation may be withheld in whole or in part whenever the owner or the person having charge of the animal has, in the opinion of the Minister been guilty, in relation to the animal, of an offence against this Act, or whenever the animal, being a foreign one, was, in his judgment, diseased at the time of entering Canada.

Excess of  
produce of  
sale over  
compensation  
to go to owner.

6. If in any case the sum received by the Government, on the sale of a carcass of an animal slaughtered, under the provisions of this Act, exceeds the amount paid for compensation to the owner of the animal slaughtered, the excess, after deduction of reasonable expenses, shall be paid to the owner.

Experimental  
treatment and  
post-mortem  
examination.

13. The Minister may, notwithstanding anything in this Act, reserve for experimental treatment any animal ordered to be slaughtered under this Act, and may authorize any of his officers or persons employed by him to make post-mortem examinations of animals which have died, or are supposed to have died, from infectious or contagious disease, and to dig up carcasses of such animals for the purpose of investigation.

#### PROHIBITION OF IMPORTATION.

Governor in  
Council may  
prohibit  
importation  
of animals  
and certain  
articles.

14. The Minister may, from time to time, prohibit the importation or the introduction into Canada, or any part thereof, or into any particular ports thereof, of animals, or of flesh, hides, hoofs, horns or other parts of animals, or of hay, straw, fodder or other articles, either generally or from any places named in the order, for such period as he deems to be necessary for the purpose of preventing the introduction of any contagious or infectious disease among animals in Canada.

#### LIMITS OF PORTS, ETC.

Limits of  
ports, etc.

15. The Governor in Council may, from time to time, define the limits of ports, and of other circumscriptions for the purposes of this Act.

#### APPOINTMENT OF OFFICERS.

Appointment  
of officers.

16. The Minister may appoint inspectors and other officers when he deems it necessary, but such appointments shall be confirmed by the Governor in Council within thirty days of the date thereof.

#### INFECTED PLACES.

Duty of  
inspectors and  
officers on  
information  
received.

17. Inspectors or other officers appointed as aforesaid, on receiving information of the supposed existence of any infec-



tious or contagious disease among animals, shall proceed to the place mentioned with all practicable speed, and execute and discharge their duties pursuant to the regulations made under the authority of this Act and the instructions received by them.

**18.** Whenever an inspector finds or suspects infectious or contagious disease of animals to exist, he shall forthwith make a declaration thereof under his hand, and shall deliver a copy of such declaration to the occupier of the common, field, stable, cowshed or other premises where the disease is found; and thereupon the same, with all lands and buildings contiguous thereto in the same occupation, shall be deemed to be an infected place; and the same shall be held to be an infected place until the determination and declaration of the Minister relative thereto in this Act provided for.

Notice to owners of places where disease is found.

Consequence of notice.

**19.** Whenever an inspector makes such a declaration of the existence or suspected existence of infectious or contagious disease of animals, he shall, with all practicable speed, send a copy thereof to the Minister; and if it appears that infectious or contagious disease exists, the Minister may so determine and declare, and may prescribe the limits of the infected place; but if it appears that it did not exist, the Minister may so determine and declare, and thereupon the place comprised in the inspector's declaration, or affected thereby, shall cease to be deemed an infected place.

Report to Minister of Agriculture.

Power of Minister.

**20.** Whenever, under this Act, an inspector makes a declaration which constitutes a place an infected place, he may also, if the circumstances of the case appear to him so to require, deliver a notice under his hand of such declaration to the occupiers of all lands and buildings adjoining thereto, any part whereof respectively lies within one mile of the boundaries of the infected place in any direction, and thereupon the provisions of this Act with respect to infected places shall apply to and have effect in respect of such lands and buildings as if the same were actually within the limits of the infected place.

Power of inspector declaring a place infected; extension of boundaries.

**21.** The area of an infected place may, in all cases of a declaration by the Minister, include any common, field, stable, cowshed, or other premises in which infectious or contagious disease has been found to exist, and such an area as to the Minister seems requisite; and the Minister may, from time to time, by order, extend or curtail the limits of an infected place beyond the boundaries of the common, field, stable, cowshed, farm or premises where infectious or contagious disease is declared or found to exist.

Area of infected locality, how defined.

Limits may be varied.

**22.** The area of an infected place may, in any case, be described by reference to a map or plan deposited at some specified

How area may be described.

specified place, or by reference to townships, parishes, farms, or otherwise.

Declaring a place free from disease.

**23.** The Minister may, at any time, upon the report of an inspector, by order, declare any place to be free from infectious or contagious disease; and thereupon, and from the time specified in that behalf in the order, the place shall cease to be deemed an infected place.

Order of the Minister to supersede any local order.

**24.** An order of the Minister relative to an infected place shall supersede any order of a local authority inconsistent with it.

As to transit through infected places.

**25.** The provisions of this Act with respect to infected places, shall not restrict the moving of any person, animal or thing by railway or other mode of transport on highways through an infected place, if such person, animal or thing is not detained within the infected place, unless such transport is prohibited.

Prohibition to remove from infected places.

**26.** Whenever under this Act a place has been constituted an infected place, no live animal, nor the flesh, head, hide, skin, hair, wool or offal of any animal or any part thereof, nor the carcass nor any remains of any animal, nor any dung of animals, nor any hay, straw, litter or other thing commonly used for and about animals, shall be removed out of the infected place, without a license signed by an inspector appointed as aforesaid until said place has been released by order of the Minister.

#### CLEANSING OF VESSELS, VEHICLES AND PREMISES.

Vessels, vehicles, etc., to be cleansed and disinfected.

**27.** Every company and every person carrying for hire animals to or in Canada, shall thoroughly cleanse and disinfect, in such manner as the Governor in Council, from time to time, directs, all steamships, steamers, vessels, boats, pens, carriages, trucks, horse-boxes and vehicles used by such company or person for the carrying of animals; and the Governor in Council may cause any such steamship, steamer, vessel, boat, carriage, truck, horse-box or vehicle, to be detained at such place as to him seems meet, until it is so cleansed and disinfected.

And may be detained for that purpose.

On default, Minister may cause the work to be done.

**2.** If the company or person using such steamship, steamer, vessel, boat, carriage, truck, horse-box or vehicle for the carrying of animals, fails to cause the same to be so cleansed and disinfected within such time after being notified so to do as the Minister directs, the Minister may cause the same to be cleansed and disinfected at the expense of such company or person.

Premises, etc., to be in sanitary condition.

**28.** All yards, stables, sheds or other premises used by railway or steamship companies or other persons for the

accommodation of animals shall be maintained in a clean, comfortable and sanitary condition, and shall be subject at all times to inspection by inspectors acting under the authority of the Minister, who, when they deem such action necessary, may order the cleansing and disinfection in a satisfactory manner of the said yards, stables, sheds or other premises.

2. In the event of any railway or steamship company or other person refusing or neglecting to carry out the orders of the inspector in regard to such cleansing or disinfection, or in the event of such company or person neglecting to maintain its yards, stables, sheds or other premises for the use of animals, in a clean, comfortable and sanitary condition, the inspector may condemn the said premises as unfit for use; whereupon the said premises shall not be used for the accommodation of animals until such time as the orders of the inspector in regard thereto have been satisfactorily carried out.

#### REGULATIONS.

29. The Governor in Council may, from time to time, make such regulations as to him seem necessary for any of the following purposes, that is to say:—

(a.) For subjecting animals to quarantine, or for causing the same to be destroyed upon their arrival in Canada, or for destroying any hay, straw, fodder or other article whereby it appears to him that infection or contagion may be conveyed, and generally for regulating the importation or introduction into Canada of animals in such manner as to prevent the introduction of any infectious or contagious disease into Canada;

(b.) For the keeping separate, treatment and disposal of, and dealing generally with animals affected with infectious or contagious diseases, or suspected of being so affected, or which have been in contact with animals so affected or suspected of being so affected, and for the prevention of the spread of infectious or contagious diseases;

(c.) For segregating and confining animals within certain limits, for establishing districts of inspection or of quarantine, and for prohibiting or regulating the removal to or from such parts of or places in Canada, as he designates in such regulations, of animals, or of meats, skins, hides, horns, hoofs or other parts of any animals, or of hay, straw, fodder or other articles likely to propagate infection;

(d.) For purifying any yard, stable, outhouse or other place, or any wagons, carts, carriages, cars or other vehicles, or any vessels, and for directing how any animals dying in a diseased state, or any animals, parts of animals, or other things seized under the provisions of this Act, are to be destroyed or otherwise disposed of;

(e.) For causing notices to be given of the appearance of any disease among animals;



Requiring notice.

(f.) For requiring notice of the appearance of any such disease among animals ;

Prohibiting markets, etc.

(g.) For prohibiting or regulating the holding of markets, fairs, exhibitions or sales of animals ;

Declaring market, steamship, etc., infected.

(h.) For declaring any market, railway yard, stock yard, pen, wharf, steamship, steam or other vessel, railway car or other vehicle, on or in which animals are exposed for sale, or are placed for the purpose of transit, to be infected, and for declaring the same to be no longer infected ;

Slaughtering animals.

(i.) For the slaughtering of animals as provided for by this Act ;

Proof as to animals imported.

(j.) For requiring proof of the fact that animals imported into or passing through Canada have not, at the time of their embarkation, been brought from any place or locality where any contagious or infectious disease is, at the said time, in existence ;

Certain exemptions.

(k.) For exempting certain contagious and infectious diseases from the operation of certain specified clauses of this Act, and for dealing with the said diseases as may to him seem necessary and advisable ;

Power to make orders generally under this Act.

(l.) And, generally, any orders which he thinks it expedient to make for the better execution of this Act, or for the purpose of, in any manner, preventing the spreading of and for the extirpation of contagious or infectious disease among animals, whether any such orders are of the same kind as the kinds enumerated in this section or not.

Preventing removal of animals, fodder, etc.

**30.** The Minister may, from time to time, make such regulations as to him seem necessary for preventing the removal of live animals, or the hide, skin, hair, offal of any animals or any part thereof, the carcass or any remains of any animal, any dung of animals, and any hay, straw, litter or other thing commonly used for or about animals, out of an infected place, without a license signed by an inspector or other officer appointed as aforesaid.

Effect of such orders.

**31.** Every regulation made under either of the two sections next preceding shall have the like force and effect as if it had been embodied in this Act.

#### PUBLICATION AND EVIDENCE.

Publication of Orders in Council, etc.

**32.** Every Order in Council prohibiting the importation or the introduction of animals into Canada, or establishing quarantines for animals, ordering the slaughtering of animals or declaring any market, railway yard, stock yard, pen, wharf, steamship, steam or other vessel, railway car or other vehicle to be infected, and every order of the Minister declaring any place infected, shall be published twice in the *Canada Gazette*.

Order in Council, etc., to be evidence.

**33.** An Order of the Governor in Council declaring any market, railway yard, stock yard, pen, wharf, steamship, steam



or other vessel, railway car or other vehicle to be infected, or of the Minister, declaring a place to be an infected place, or a copy of the declaration of the inspector certified by him, a notice of which has been delivered under the eighteenth section of this Act, shall be *prima facie* evidence in all courts of justice and elsewhere of the existence of disease or of the suspicion of such disease and other matters to which the order or declaration relates.

**34.** Any order or regulation made or issued under this Act, or under any order of the Governor in Council, or of the Minister, may be proved by the production of a printed or other copy of such order or regulation, certified by the Minister; and any such order or regulation shall, until the contrary is proved, be deemed to have been duly made and issued at the time at which it bears date.

Proof of orders or regulations.

Presumption as to orders.

**35.** The certificate of an inspector or an officer, as aforesaid, to the effect that an animal is affected with an infectious or contagious disease shall, for the purposes of this Act, be *prima facie* evidence in all courts of justice and elsewhere of the matter certified.

Inspector's certificate to be *prima facie* evidence.

#### POWERS OF INSPECTORS.

**36.** Any inspector or other officer appointed as aforesaid may, at any time, for the purpose of carrying into effect any of the provisions of this Act, enter any place or premises, or any steamship, vessel or boat, or any carriage, car, truck, horse-box or other vehicle used for the carriage of animals, but shall, if required, state in writing the grounds on which he has so entered.

Inspector's power of entry.

**37.** Every person who refuses to admit or who obstructs or impedes an inspector or other officer acting in execution of this Act, or of any order of or regulation made by the Governor in Council or the Minister thereunder, and every person who aids and assists him therein, shall for every such offence, incur a penalty not exceeding one hundred dollars; and the inspector or other officer may apprehend the offender and take him forthwith before a justice of the peace to be dealt with according to law; but no person so apprehended shall be detained in custody, without the order of a justice, longer than twenty-four hours.

Arrest of persons impeding execution of this Act.

How to be dealt with.

**38.** If any animals are imported or introduced, or attempted to be imported or introduced, into Canada, contrary to the provisions of any order or regulation made in pursuance of this Act, the same shall be forfeited and may be forthwith destroyed or disposed of, as the Minister or any person employed by him in that behalf directs; and every person who imports or introduces, or attempts to import or introduce, any animal

Forfeiture of animals imported contrary to Order in Council.

Penalty for attempting importation.

into Canada, contrary to the provisions of any such order or regulation, shall incur a penalty not exceeding two hundred dollars, for every animal so imported or introduced, or attempted to be imported or introduced by him.

Penalty for  
unlawful  
removal.

**39.** Every person who moves, or causes or allows to be moved, any animal, hide, skin, hair, wool, horn, hoof, offal, carcass, meat, dung, hay, straw, litter or other thing in violation of the provisions of this Act with respect to infected places, shall, for every such offence, incur a penalty not exceeding two hundred dollars.

Penalty for  
entering  
where  
entrance is  
forbidden.

**40.** Whenever a person having animals in his possession or keeping within a district wherein infectious or contagious disease exists, affixes at the entrance to a building or enclosed place in which such animals are kept, a notice forbidding persons to enter into that building or place without his permission, then, if any person not having a right of entry or way into that building or place, knowingly enters into the same, or any part thereof, in violation of the notice, he shall, for every such offence, incur a penalty not exceeding twenty dollars.

Penalty for  
neglect to  
cleanse  
vessels, etc.

**41.** Every person who fails to comply with the requirements of any order made under the authority of this Act, respecting the cleansing and disinfecting of steamships, vessels, boats, pens, carriages, trucks, horse-boxes or vehicles used by such person for the carriage of animals, shall, for every such offence incur a penalty not exceeding two hundred dollars.

Penalty for  
violation of  
regulations.

**42.** Every person who violates any provision of this Act, or of any regulation made by the Governor in Council or by the Minister, under the authority of this Act, in respect to which no penalty is hereinbefore provided, shall, for every such offence, incur a penalty not exceeding two hundred dollars.

Apprehension  
of persons  
offending  
against this  
Act.

**43.** Any inspector or constable may, without warrant, apprehend any person found committing an offence against the provisions of this Act with respect to infected places, and shall take any person so apprehended forthwith before a justice of the peace to be examined and dealt with according to law ; and a person so apprehended shall not be detained in custody without the order of a justice longer than twenty-four hours ; and any inspector or constable may require that any animal or thing moved out of an infected place in violation of the provisions of this Act be forthwith taken back within the limits of that place, and may enforce and execute such requisition at the expense of the owner of such animal or thing.

Return of  
removed  
animal, etc.,  
to infected  
place.

Where offence  
shall be held  
to have been  
committed.

**44.** Every offence against this Act, or against any order or regulation of the Governor in Council or of the Minister, shall, for the purposes of proceedings under this Act, or of

any such order or regulation, be deemed to have been committed, and every cause of complaint under this Act, or any such order or regulation, shall be deemed to have arisen either in the place in which the same actually was committed or arose, or in any place in which the person charged or complained against happens to be.

**45.** Every penalty imposed by this Act shall be recover- Recovery of penalties.  
able, with costs, before any two justices of the peace, or any  
magistrate having the powers of two justices of the peace,  
under Part LV. of *The Criminal Code*, 1892.

**46.** *The Animal Contagious Diseases Act*, chapter 69 of the Repeal.  
Revised Statutes, and chapter 13 of the statutes of 1896  
(First Session), in amendment thereof, are repealed.

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most Excellent Majesty.







### 3 EDWARD VII.

#### CHAP. 12.

#### An Act further to amend the Dominion Controverted Elections Act.

[Assented to 25th June, 1903.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Subsection 4 of section 31 of *The Dominion Controverted Elections Act*, chapter 9 of the Revised Statutes, is hereby repealed and the following substituted therefor:—

R.S.C., c. 9,  
s. 31  
amended.

“4. The judge at the trial may adjourn the same from time to time, and from one place to another in the same electoral district, as to him seems convenient, or, upon cause shown supported by affidavit, where special circumstances exist which in his opinion render it desirable so to do, from one place to another outside the electoral district or from a place inside to a place outside the electoral district, or *vice versa*.”

Adjourn-  
ments.

2. Upon proof to the satisfaction of the judge presiding at the trial of an election petition of the service of a subpoena upon any witness who fails to attend or to remain in attendance in accordance with the requirements of the subpoena, and that a sufficient sum for his fees as a witness has been duly paid or tendered to him, and that the presence of such witness is material to the ends of justice, the judge may, by his warrant, directed to any sheriff or officer of the court, or constable, cause such witness to be apprehended, and forthwith brought before him or any other judge who may thereafter preside at such trial, to give evidence; and in order to secure his presence as a witness, such witness may be taken on such warrant before the presiding judge and detained in the custody of the person to whom the warrant is directed or otherwise, as the presiding judge may order, until his presence as such witness is required, or, in the discretion of the said judge, he may be released on a recognizance with or without sureties conditioned for his appearance to give evidence.

Compelling  
attendance  
of witnesses.





## 3 EDWARD VII.

### CHAP. 13.

An Act to amend the Criminal Code, 1892.

[Assented to 25th June, 1903.]

**H**IS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

**1.** This Act may be cited as *The Criminal Code Amendment Act*, 1903. Short title.

**2.** *The Criminal Code*, 1892, is amended in the manner set forth in the following schedule :— 1892, c. 29  
amended.

#### SCHEDULE.

By inserting immediately after section 179 the following section :—

**179A.** Every person who, being the lessee, agent or person in charge or manager of a theatre, presents or gives or allows to be presented or given therein any immoral, indecent or obscene play, opera, concert, acrobatic, variety, or vaudeville performance, or other entertainment or representation, is guilty of an indictable offence and liable, if convicted upon indictment, to one year's imprisonment with or without hard labour, or to a fine of five hundred dollars, or to both, and, on summary conviction, to six months' imprisonment, or to a fine of fifty dollars, or to both.

**2.** Every person who takes part or appears as an actor, performer, or assistant in any capacity, in any such immoral, indecent or obscene play, opera, concert, performance, or other entertainment or representation, is guilty of an offence and liable, on summary conviction, to three months' imprisonment, or to a fine not exceeding twenty dollars, or to both.

**3.** Every person who so takes part or appears in any indecent costume is guilty of an offence and liable, on summary conviction, to six months' imprisonment, or to a fine of fifty dollars, or to both.

4. In this section the word "theatre" includes any place open to the public, gratuitously or otherwise, where dramatic, musical, acrobatic or other entertainments or representations are presented or given.

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most Excellent Majesty.





## 3 EDWARD VII.

### CHAP. 14.

#### An Act to amend the Customs Act.

[Assented to 10th July, 1903.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. This Act may be cited as *The Customs Amendment Act*, Short title. 1903.

2. Section 2 of *The Customs Act*, chapter 32 of the Revised Statutes, as amended by section 2 of chapter 14 of the statutes of 1888, is further amended by inserting the following paragraph after paragraph (q.):—

R.S.C., c. 32,  
s. 2 amended.

“(r.) The expression ‘duty’ or ‘duties’ includes ‘surtax.’” “Surtax.”

3. The subsection added to section 4 of *The Customs Act* by section 2 of chapter 22 of the statutes of 1895, is repealed and the following are substituted therefor:—

Section 4  
amended.

“2. There shall be a Board of Customs, which shall consist of the Commissioner of Customs, or any officer for the time being acting as such, who shall be the chairman of the Board, and such duly qualified officers of Customs as the Governor in Council from time to time appoints; and the said Board shall have such powers and perform such duties as are assigned to it by any Act of the Parliament of Canada or by the Governor in Council; and three members of the Board shall form a quorum and be competent to transact the business of the Board at any meeting thereof, whether regular or special, called by the chairman, of which quorum one member shall be either the Commissioner of Customs or the officer for the time being acting as Commissioner of Customs.

Board of  
Customs.

“3. There shall be an Assistant Commissioner of Customs, appointed by the Governor in Council, who shall hold office during pleasure, and shall have such powers and perform such duties as are assigned to him by the Governor in Council, or by the Minister of Customs.”

Assistant  
Commis-  
sioner.

New section.

4. *The Customs Act* is amended by inserting the following section immediately after section 4 :—

Temporary officers.

“4A. The Minister of Customs may, from time to time, authorize the employment of such temporary or acting officers of Customs in the second or outside division of the Customs Department as are required to carry on the work of the department; but no such officer so employed shall receive a higher salary than he would be allowed if appointed permanently to the same rank or class; nor shall any such salary be paid until voted by Parliament.”

New s. 9.

5. The section substituted for section 9 of the said Act by section 5 of chapter 14 of the statutes of 1888, is repealed and the following is substituted therefor :—

Board of Customs may, in doubtful cases, declare the duty, or that goods are free.

“9. Whenever any difference arises or whenever any doubt exists as to whether any or what rate of duty is payable on any class of goods, and there is no previous decision upon the question by any competent tribunal binding throughout Canada, the Board of Customs may declare the rate of duty payable on the class of goods in question, or that such goods are exempt from duty, subject in each case to an appeal by any person interested to the Governor in Council; and any such declaration of the Board of Customs, approved by the Minister of Customs, or any Order in Council made upon an appeal containing such declaration and fixing such rate of duty, if any, shall have the same force and effect as if such declaration or rate of duty had been sanctioned by statute.

Effect of order.

Coming into effect.

“2. Such declaration or Order in Council may state a day upon which it is to come into effect, and shall in that case only have effect upon and after the day so named; provided that no such declaration or Order in Council shall be deemed to affect the liability for duty of, or the rate of duty applicable to, any goods imported previous to the time when it comes into effect.

Publication of Order.

“3. Every Order in Council made under this section shall be published in the *Canada Gazette*.”

Section 10 amended.

6. Section 10 of *The Customs Act* is amended by inserting after the word “imported” in the second line, the words “or in the currency in which the goods are actually purchased.”

Further amended.

2. The said section is further amended by adding thereto the following subsection :—

Invoices to state actual prices of goods.

“2. All such invoices shall faithfully exhibit the transaction between the exporter and the importer, and contain a true and full statement of the actual price payable for the goods, including cartons, cases and coverings of all kinds and all expenses incident to placing the goods in condition, packed ready for shipment to Canada, and no such invoice shall state any discount other than such as has been actually allowed to the importer.”

7. Section 15 of the said Act is repealed and the following New s. 15.  
is substituted therefor:—

“15. On any article not enumerated, manufactured of two Goods made of more than one material.  
or more materials, the duty shall be assessed at the highest rate at which it would be chargeable if the article were composed wholly of the component material thereof of chief value, having regard to the condition of the component materials as found in the article.”

8. Section 49 of the said Act is amended by striking out Section 49 amended.  
the words “ten days of such landing” in the last line and substituting therefor “fourteen days of the date of entry or of such landing.”

9. Section 50 of the said Act is amended by striking out Section 50 amended.  
the words “ten days” in the ninth line and substituting therefor “fourteen days of the date of entry or.”

10. Section 51 of the said Act is amended by adding Section 51 amended.  
thereto the following proviso:—

“Provided that the collector may permit an importer, with- Abandonment of damaged goods.  
in fourteen days after entry or landing, to abandon to the Crown any whole package or packages of damaged goods and be relieved from the payment of the duties on the portion so abandoned; and the goods so abandoned shall be destroyed if, in the opinion of the collector, they cannot be sold for a sum sufficient to pay duties and charges.”

11. The section substituted for section 52 of the said Act Section 52 amended.  
by section 10 of chapter 14 of the statutes of 1888, is amended by striking out the words “to the extent of fifty per cent” in the twelfth and thirteenth lines, and substituting therefor the words “for the amount of loss in excess of twenty-five per cent of the whole quantity damaged.”

12. The section substituted for section 54 of *The Customs Act* New s. 54.  
by section 11 of chapter 14 of the statutes of 1888 is repealed and the following is substituted therefor:—

“54. Upon production of satisfactory proof to the Minister Refund of duty on goods lost or damaged while in custody of Customs.  
of Customs of the actual injury or destruction, in whole or in part, of any goods by accidental fire, or other casualty, while they remained in the custody of the officers of the Customs in any Customs warehouse, or while in transportation in bond from one port of entry to another port of entry in Canada, or while within the limits of any port of entry and before they were landed under the supervision of the officers of the Customs, the duties on the whole or the part thereof so proved to be injured or destroyed may be abated or refunded; provided that the claim is made within fourteen days after the date of the casualty, and that due appraisalment is made of the goods so alleged to be injured as soon as they can be examined.”



Section 63  
amended.

**13.** Section 63 of *The Customs Act*, as amended by section 1 of chapter 22 of the statutes of 1899, is amended by inserting the words "quantity or" before the word "value" in the seventh line; and by striking out the words "ten days of the date of entry or landing" in the ninth line, and substituting therefor the words "fourteen days of the date of entry, or delivery, or landing."

Section 65  
amended.

**14.** Section 65 of *The Customs Act*, as amended by section 15 of chapter 14 of the statutes of 1888, is amended by adding the following subsection thereto:—

Valuation  
of certain  
material.

"3. All material imported to form medicinal or toilet preparations alone or with other articles or compounds, to be put up, labelled or sold under any proprietary or special name or trade mark, shall be valued for duty under the provisions of subsection 2 of this section. The Minister of Customs may, however, refer to the appraising officers for valuation such of the materials as have a fair market value in the ordinary course of trade."

Section 69  
amended.

**15.** Section 69 of *The Customs Act* is amended by adding the following subsections thereto:—

Regulations  
for testing  
molasses  
and syrups.

"2. Regulations respecting the manner in which molasses and syrups shall be sampled and tested for the purpose of determining the classes to which they belong with reference to the duty chargeable thereon shall be made by the Minister of Customs, and the instruments and appliances necessary for such determination shall be designated by him and supplied to such officers as are by him charged with the duty of sampling and testing such molasses and syrups; and the decision of any officer, to whom is so assigned the testing of such articles, as to the duties to which they are subject under the tariff, shall be final and conclusive, unless, upon appeal to the Commissioner of Customs within thirty days from the rendering of such decision, such decision is, with the approval of the Minister of Customs, changed; and the decision of the Commissioner of Customs with such approval shall be final.

Strength  
of spirits.

"3. In the case of all wines, spirits, or alcoholic liquors subject to duty according to their relative strength of proof, such strength shall be ascertained either by means of Sykes' hydrometer or of the specific gravity bottle, as the Minister of Customs directs; and in case such relative strength cannot be correctly ascertained by the direct use of the hydrometer or gravity bottle, it shall be ascertained by the distillation of a sample and the subsequent test in like manner of the distillate."

Section 127  
amended.

**16.** Section 127 of the said Act is amended by adding thereto the following subsection:—

Invoice to  
accompany  
bill of entry  
of goods sold  
before arrival.

"2. The collector shall require that the true invoice from the exporter to the owner of the goods be delivered for duty purposes with the bill of entry at the custom-house when



such goods have been sold by the exporter thereof prior to their arrival in Canada, although the goods arrive in Canada consigned to a person other than their owner."

**17.** Section 152 of the said Act is amended by adding thereto the following subsection :—

"2. Every officer of Customs and every person acting as such officer under the directions of the Minister of Customs may administer any oath prescribed to be taken in respect of any matter within the scope of the official duties assigned to such officer."

Section 152  
amended.

Officers may  
administer  
oaths.

**18.** Section 245 of the said Act, as amended by section 2 of chapter 36 of the statutes of 1898, and by section 2 of chapter 22 of the statutes of 1899, is amended by inserting the following paragraphs thereto immediately after paragraph (s) :—

Section 245  
amended.

"(t.) For regulating and determining what shall be special Custom services for which charges shall be payable to His Majesty on account of the attendance of Customs officers on vessels or at wharfs, warehouses, stations, or other places, and the scale or amount of such charges and the conditions attaching to such special services: Provided, that the money received for such charges may be used for payment of the salaries or pay of Customs officers for the fiscal year in which the special Customs service is performed, notwithstanding anything in any Act ;

Special  
Customs  
services.

"(u.) For reducing the duty on any or all articles, whether natural products or products of manufactures, used as materials in Canadian manufactures ; and any such materials specified in such Order in Council shall be subject to such reduced duty of Customs and no other for the time and under the conditions therein provided."

Reduction.  
of duties.





## 3 EDWARD VII.

### CHAP. 15.

#### An Act to amend the Customs Tariff, 1897.

[Assented to 24th October, 1903.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

1. The Governor in Council may, by Order in Council, direct that a duty of seven dollars per ton shall be imposed underschedule A to *The Customs Tariff*, 1897, on all iron and steel railway bars or rails, in any form for railways, imported into Canada; and from and after the publication of such order in *The Canada Gazette*, such duty shall be levied, collected, and paid on all such rails; and thereafter item 238 in the said schedule, and item 585 in schedule B to the said Act, shall be repealed: Provided, however, that such order shall not be passed until the Governor in Council is satisfied that steel rails of the best quality, suitable for the use of Canadian railways, are being manufactured in Canada, from steel made in Canada, in sufficient quantity to meet the ordinary requirements of the market.

Duty on railway bars or rails.  
1897, c. 16.  
Proviso.

2. Item 409 in the said schedule A is repealed.

Item 409 repealed.

3. Item 555a, inserted in the said schedule B by section 1 of chapter 22 of the statutes of 1901, as amended by section 1 of chapter 33 of the statutes of 1902, is further amended by striking out "1903" at the end of the said item and substituting therefor "1904."

Item 555a amended.

4. The said schedule B is amended by inserting therein the following item :—

New item 555c.

"555c. Machinery and appliances of a kind not made in Canada, for use exclusively in alluvial gold mining, until June 30, 1904."

5. Articles which are the growth, produce, or manufacture of any foreign country which treats imports from Canada less favourably than imports from certain countries.

favourably than those from other countries may be subject to a surtax over and above the duties specified in the said schedule A, such surtax in every case to be one-third of the duty specified in the said schedule.

On certain articles.

2. Such surtax shall apply to any articles the chief value of which was produced in such foreign country, although it may have been improved or advanced in value by the labour of another country, notwithstanding the provisions of the British Preferential Tariff and regulations thereunder.

Decision of Minister of Customs.

3. Any question arising as to any foreign country or goods coming under the operation of this section shall be decided by the Minister of Customs, whose decision shall be final.

Regulations.

4. The Minister of Customs, with the approval of the Governor in Council, may make regulations for carrying out the purposes of this section.

Exception.

5. Such surtax shall not apply to any goods actually purchased on or before the sixteenth day of April, one thousand nine hundred and three, by any corporation, firm, or person in Canada, if imported into Canada on or before the thirtieth day of September following.

Commencement of preceding sections.

6. The foregoing provisions of this Act shall be held to have come into force on the seventeenth day of April, one thousand nine hundred and three, and to have applied to all goods imported or taken out of warehouse for consumption on or after that day, and to have also applied to goods previously imported for which no entry for consumption was made before that day, except as otherwise provided in this Act.

Item 636 amended.

7. Item 636 in schedule C to *The Customs Tariff Act, 1897*, is amended by adding at the end thereof the following words: "also posters and handbills depicting scenes of crime or violence."





## 3 EDWARD VII.

### CHAP. 16.

#### An Act respecting the Desjardins Canal.

*[Assented to 25th June, 1903.]*

**W**HEREAS by an Act of the province of Upper Canada, Preamble.  
being chapter 24 of the statutes of 1832, passed in the  
second year of the reign of His Majesty William the Fourth, U. C., 1832.  
and by two subsequent Acts of the said province, it is amongst c. 24.  
other things in effect enacted and declared that it should be  
lawful to make advances to the Desjardins Canal Company  
for the purpose of completing the said canal, and that the  
repayment of such advances should be secured to the satis-  
faction of the Governor in Council: and whereas in pursuance  
of the said Acts certain moneys were advanced to the Desjar-  
dins Canal Company, and the repayment of £5,000 thereof  
and interest was secured by a certain indenture dated the 30th  
day of May, 1832, made between Peter Hunter Hamilton, of  
the town of Hamilton, in the district of Gore and the pro-  
vince of Upper Canada, Esquire, one of the directors of the  
said Company, of the one part, and the Honourable John  
Henry Dunne, of York, in the Home district, in the said pro-  
vince of Upper Canada, His Majesty's Receiver General of the  
said province, for and on behalf of His said Majesty, of the  
other part, charged upon certain lands therein described, situ-  
ated and being in the township of Barton, in the county of  
Wentworth and district of Gore, and being composed of a  
portion of lot 15 in the second concession, lot 15 in the third  
concession, and part of lot 15 in the fourth concession of the  
said township, containing 97 acres and 2 roods, more or less,  
and more particularly described in the said indenture, which  
said indenture is duly registered in the registry office for the  
said district of Gore; and whereas the repayment of the sum  
of £5,000 advanced as aforesaid and interest was further  
secured by another indenture dated the second day of June,  
1832, made between Allan Napier MacNab, of the town of  
Hamilton aforesaid, President of the Desjardins Canal Com-  
pany, of the one part, and the Honourable John Henry Dunne,  
of York, in the Home district and the said province, His  
Majesty's

Majesty's Receiver General of the said province, for and on behalf of His Majesty, of the other part, and charged upon certain lands therein described as situate in the county of Northumberland and district of Newcastle and province aforesaid, and the said indenture was duly registered in said district ;

1876, c. 17.

And whereas by chapter 17 of the statutes of 1876, after reciting as therein recited the incorporation of the Desjardins Canal Company and that at the expiration of fifty years from such incorporation,—which period would elapse at the end of the session of Parliament next ensuing, the thirtieth day of January, in the year one thousand eight hundred and seventy-six,—the estate, rights, title, tolls and rates of the said canal, and the waters and navigation thereof, should vest in His Majesty as therein set forth, it was declared by section 1 of the said Act that sections 52, 53, 54, 55, 56 and 57 of chapter 12 of the statutes of 1867 should apply to the said Desjardins Canal, which after the expiration of the said charter should be deemed a public work of Canada, and afterwards by Order in Council dated the twenty-sixth day of October, one thousand eight hundred and seventy-seven, it was ordered that the said Desjardins Canal, together with its appurtenances, should be, and the same was, granted, transferred and conveyed to the Corporation of the town of Dundas and their successors, subject to the provisions of the said chapter 17 of the statutes of 1876, upon the conditions set forth in the said Order in Council ;

And whereas it has been established that although there is now no valid legal charge subsisting under the said two indentures or either thereof by reason of the registry thereof, as aforesaid, a cloud on the title to the said lands appears to exist and thereby prejudices the title of the lawful owners of the said lands, and it is expedient that such cloud should be removed : Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada. declares and enacts as follows :—

Declaratory  
as to title to  
lands.

1. The lands respectively mentioned in the aforesaid two respective indentures are hereby declared to be absolutely free and discharged from any claim of His Majesty thereunder.

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## 3 EDWARD VII.

### CHAP. 17.

An Act respecting the encouragement of the construction of Dry Docks.

[Assented to 13th August, 1903.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

1. Section 1 of chapter 9 of the statutes of 1899 is hereby repealed and the following section enacted in lieu thereof:—

1899, c. 9,  
new s. 1.

“1. If any company or body corporate approved by the Governor in Council as having the ability to perform the work, enters into an agreement with His Majesty to construct a dry dock, or to complete a dry dock now in course of construction, with all proper and necessary equipment, machinery and plant for the reception and repairing of vessels, at a place, and according to plans and specifications approved by the Governor in Council on a report by the Minister of Public Works as sufficient for the requirements of the public at such place, the work to be completed within a time to be limited by such agreement, then, provided the company performs the work according to such agreement and to the satisfaction of the Minister of Public Works, under the supervision of whose department the work shall be done, the Governor in Council may authorize the payment, out of any unappropriated moneys forming part of the Consolidated Revenue Fund, of a subsidy not exceeding three per cent per annum on the cost of the work, during twenty years from the time of its completion and acceptance by the said Minister; provided that such subsidy shall not exceed thirty thousand dollars per annum, and that the cost on which it shall be calculated shall not be greater than the value of the work as estimated by the said Minister; provided also that the subsidy shall not be payable for any portion of the said twenty years during which the dock is not in complete repair and working order.”

Conditions of  
subsidy for  
construction  
of dry docks.

Amount and  
duration of  
payment.

Proviso :  
amount  
limited.

Proviso :  
dock to be  
kept in repair.

New sections.

2. The said Act is also amended by adding thereto the following sections:—

Tolls and regulations to be submitted to Governor in Council.

“4. No tolls or rates shall be charged or taken by such company in respect of the letting or hiring, operation, or use of the said dock, or of space therein, or of any works connected therewith, until the company has submitted a tariff of such tolls or rates and the same has been approved by the Governor in Council; and no by-laws, rules, regulations or conditions respecting such letting, hiring, operation, or use, shall have any force or effect until similarly submitted and approved.”

Power of Governor in Council.

“5. The Governor in Council may at any time disallow the whole or any part of such tariff, or of such by-laws, rules, regulations, or conditions, and may require such company within a specified time to substitute other tariff, tolls, by-laws, rules, regulations, or conditions in lieu thereof, and in default may fix and prescribe the same.”

Financial statement to be filed before first payment.

“6. The company, before receiving its first payment of subsidy under the authority of this Act, and annually thereafter on or before the first day of January, shall file in the office of the Minister of Public Works a financial statement, verified to the satisfaction of the Minister of Public Works, setting forth in detail the receipts and expenditures of the company, and also all gifts, grants, or aids to the company from any municipal or public body, the amounts received or to be received by the company on account of stocks, bonds, or debentures of the company, and particularly the amount of money derived from the issue of stock or loans to the company and actually expended in the construction of the dry dock.”

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## 3 EDWARD VII.

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### CHAP. 18.

An Act to correct a clerical error in the Act to incorporate the Edmonton and Slave Lake Railway Company.

[Assented to 25th June, 1903.]

WHEREAS there is a clerical error in the English version Preamble. of the Act hereinafter cited, -which it is expedient to correct: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows —

1. The word "Railway" is hereby declared to have been omitted between the words "Lake" and "Company" in the ninth line of section 1 of chapter 66 of the statutes of 1899, intituled *An Act to incorporate the Edmonton and Slave Lake Railway Company*, as printed by the Queen's Printer in the English language, by a clerical error, and shall be inserted and form part of the said Act, in the French version of which the said error does not occur.

Clerical error corrected in 1899, c. 66, s. 1.

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OTTAWA : Printed by SAMUEL EDWARD DAWSON, Law Printer to the King's most Excellent Majesty.





## 3 EDWARD VII.

### CHAP. 19.

An Act to amend the Dominion Elections Act, 1900.

[Assented to 25th June, 1903.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

1. Section 112 of *The Dominion Elections Act, 1900*, is 1900, c. 12,  
new s. 112. repealed, and the following is substituted therefor :—

“112. Every one who, directly or indirectly, by himself or Undue  
influence. by any other person on his behalf, makes use of, or threatens to make use of, any force, violence, or restraint, or inflicts, or threatens the infliction, by himself, or by or through any other person, of any injury, damage, harm or loss, or in any manner practises intimidation upon or against any person, in order to induce or compel such person to vote for any candidate, or to refrain from voting, or on account of such person having voted for any candidate or refrained from voting, at an election, or who, by abduction, duress, or any false or fraudulent pretense, device or contrivance, impedes, prevents or otherwise interferes with, the free exercise of the franchise of any voter, or thereby compels, or induces or prevails upon, any voter either to vote for any candidate or to refrain from voting at an election, shall be deemed to have committed the offence of undue influence, and is guilty of an indictable offence, and shall in addition to any penalty thereby incurred, forfeit the Penalty. sum of two hundred dollars, to any person who sues therefor, with costs.

“2. It shall be deemed a false pretense within the meaning of this section to represent to a voter, directly or indirectly, that the ballot to be used, or the mode of voting at the election, is not secret.” Misrepresentation as to  
secrecy of  
ballot.







## 3 EDWARD VII.

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### CHAP. 20.

An Act to amend the Electric Light Inspection Act.

[Assented to 25th June, 1903.]

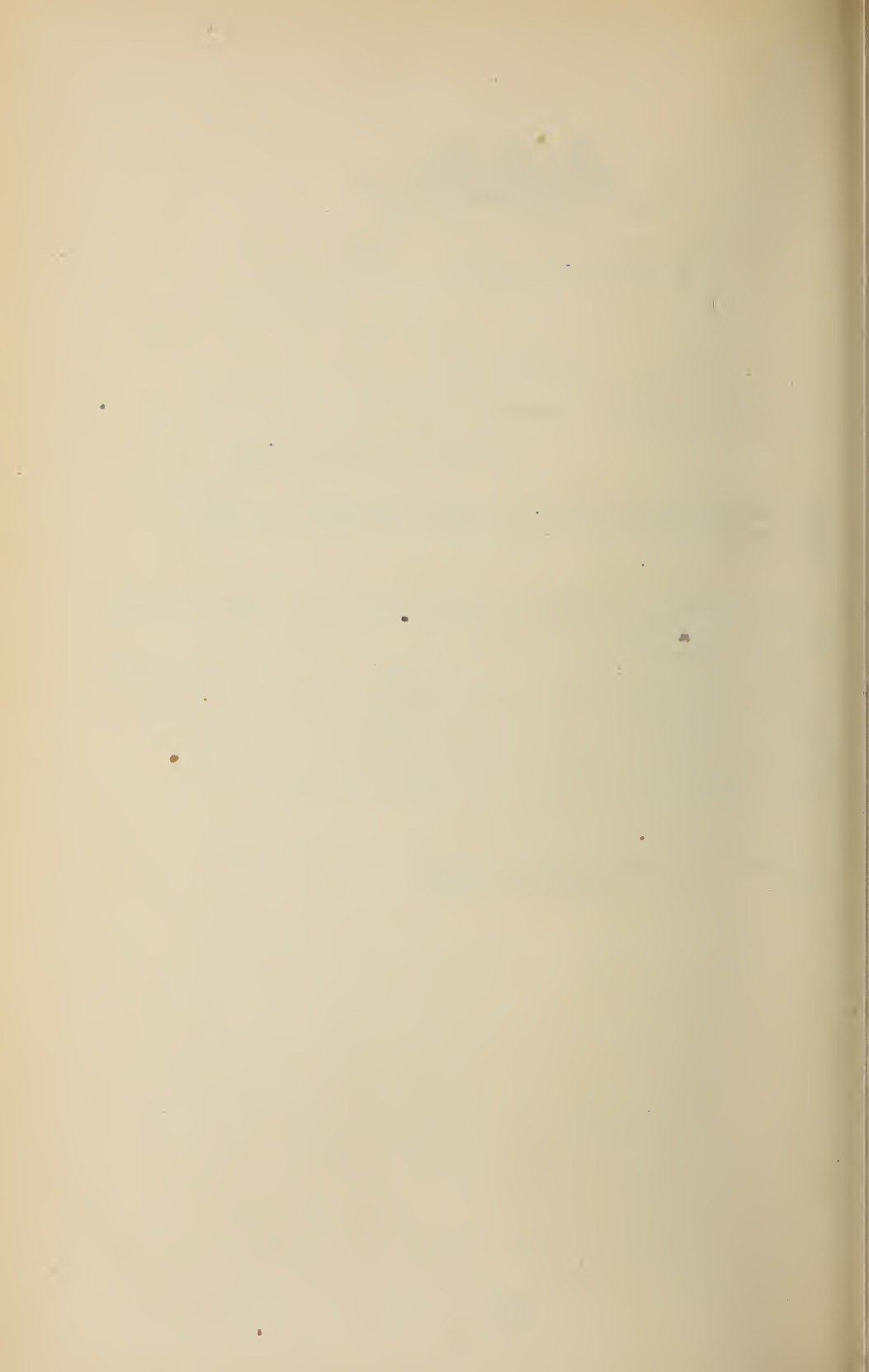
HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

1. Section 33 of *The Electric Light Inspection Act*, chapter 1894, c. 39, 39 of the statutes of 1894, is amended by adding thereto the following subsection :—

“2. Where the offender is a corporation, such penalties shall be recoverable in like manner, and any process or other paper required by Part LVIII. of *The Criminal Code*, 1892, to be served upon the defendant in proceedings under that part, may in such case be served upon the mayor or chief officer of such corporation, or upon the clerk or secretary thereof.”

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## 3 EDWARD VII.

### CHAP. 21.

An Act respecting the jurisdiction of the Exchequer Court as to railway debts.

[Assented to 24th October, 1903.]

**H**IS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The Exchequer Court of Canada shall have jurisdiction, as regards any railway not wholly within one province, or as regards any section of a railway not wholly within one province, or as regards any railway otherwise subject to the legislative authority of the Parliament of Canada,—

Jurisdiction  
of Exchequer  
Court.

(a.) At the instance of the Minister of Railways and Canals, or with the approval of the Railway Committee of the Privy Council at the instance of any creditor of any person or company owning or operating such railway or section, to order or decree in such manner as it may prescribe, the sale of such railway or section of railway, and of all the rolling stock, equipment and other accessories thereof, whenever such company has become insolvent, or has for more than thirty days failed to efficiently continue the working or operating of such railway or section or any part thereof, or has become unable so to do;

Order for sale  
of railway at  
instance of  
Minister or  
creditor.

(b.) At the instance of a creditor of such person or company having a first lien or charge upon the railway or section, or of a holder of a first mortgage of such railway or section, to order or decree a like sale of such railway or of such section, with the rolling stock, equipment and other accessories thereof in each case; or, at the instance of a mortgagee of such railway or section, to order or decree the foreclosure of the interest of the person or company owning or entitled to such railway or such section, with the rolling stock, equipment and other accessories thereof, or the equity of redemption therein, whenever in like circumstances of default the High Court of Justice in England can, at the time this Act comes into force, so order or decree with respect to mortgaged lands situate in England; provided that nothing herein contained shall in any way affect the provisions of sections 94, 95 and 96 of *The Railway Act*.

Order for sale  
or foreclosure  
at instance of  
mortgagee.

Concurrent jurisdiction of provincial courts.

2. Nothing herein contained shall affect the present jurisdiction of any court of a province in any such matters as aforesaid affecting railways, or sections thereof, wholly within the province, and the superior courts of a province now possessing such jurisdiction shall continue as regards such railways and sections of railways to have concurrent jurisdiction with the Exchequer Court in all matters within the purview of this Act.

Powers of court as to appointment of receiver.

2. The Exchequer Court, in any of the cases above mentioned, shall have all the powers for the appointment of a receiver, either before or after default, the interim preservation of the property, the delivery of possession, the making of all necessary inquiries, taking accounts, settling and determining claims and priorities of creditors, taxation and payment of costs, and generally the taking and directing of all such proceedings requisite and necessary to enforce its order or decree and render it effective, as in mortgage actions the said High Court of Justice in England, or any division, judge or officer thereof, may exercise.

Duties of receiver.

3. A receiver so appointed shall take possession of such railway, or of such section, and of all the railway stock, equipment and other accessories thereof, and shall, under the direction of the said court, carry on the working and operating of the railway or section or any part thereof, and shall keep and maintain the road, rolling stock, equipment and other accessories thereof in good condition, and renew the same or any part thereof, and, generally shall do all acts necessary for the preservation, working, maintenance, administration and operation of the railway or section, and shall, in the name of the company, institute or defend any suits or actions on its behalf.

May be directed by court to complete railway.

4. The receiver may also, if the court, either upon his appointment or subsequently, so directs, do all acts necessary for the completion of the construction or equipment of the railway or section.

Remuneration of receiver.

5. The remuneration of the receiver shall be fixed by the said court, and shall, as also shall the expenses lawfully incurred by him as receiver, including the expenses of working, operation, maintenance, renewal and completion, and of the institution and defence of actions aforesaid, be a debt of the company and be the first charge upon the railway or section, and upon the rolling stock, equipment, accessories and earnings thereof.

When company is insolvent.

6. A railway company is insolvent within the meaning of this Act, in all cases which constitute insolvency under sections 5 and 6 of *The Winding Up Act*, except that paragraph (g) of section 5 of that Act shall not apply to cases where possession of any railway or section thereof has been taken by trustees for bondholders under the provisions of section 94 of *The Rail-*



way Act, and except further that the delay to secure or compound allowed in the case mentioned in section 6 of *The Winding Up Act* shall be fifteen days instead of sixty.

7. Chapter 44 of the statutes of 1899, intituled *An Act* <sup>1894, c. 44,</sup> *respecting the jurisdiction of the Exchequer Court as to railway debts*, is repealed; but all proceedings begun under the provisions of the said Act shall be continued and terminated as if <sup>Pending</sup> ~~proceedings.~~ <sup>proceedings.</sup> this repeal were not enacted.

8. This Act shall not apply to nor authorize proceedings <sup>Proceedings</sup> against the Central Ontario Railway, nor shall it apply to or <sup>against Central Ontario</sup> affect any action or proceeding now pending in any court on <sup>Railway not</sup> behalf of or against the Central Ontario Railway Company <sup>affected.</sup> or judgment against the said company now being appealed against.

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## 3 EDWARD VII.

### CHAP. 22.

#### An Act to amend the Expropriation Act.

[Assented to 25th June, 1903.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Section 8 of *The Expropriation Act*, chapter 13 of the 1889, c. 13, statutes of 1889, is amended by adding thereto the following s. 8 amended. subsections:—

"2. When any land taken is required for a limited time only, or only a limited estate or interest therein is required, the plan and description so deposited may indicate by appropriate words written or printed thereon that the land is taken for such limited time only, or that only such limited estate or interest therein is taken, and, by the deposit in such case, the right of possession for such limited time, or such limited estate or interest, shall become and be vested in His Majesty. Land taken for limited time.

"3. All the provisions of this Act shall, so far as they are applicable, apply to the acquisition for public works of such right of possession and such limited estate or interest." Construction of Act.

2. Whenever, from time to time, or at any time before the compensation money has been actually paid, any parcel of land taken for a public work, or any portion of any such parcel, is found to be unnecessary for the purposes of such public work, or if it is found that a more limited estate or interest therein only is required, the Minister may, by writing under his hand, declare that the land or such portion thereof is not required and is abandoned by the Crown, or that it is intended to retain only such limited estate or interest as is mentioned in such writing; and upon such writing being registered in the office of the registrar of deeds for the county or registration division in which the land is situate, such land declared to be abandoned shall revert in the person from whom it was taken or in those entitled to claim under him, or, in the event of a limited estate or interest therein being retained by the Crown, the land shall so revert subject to the estate or interest so retained. Abandonment of land not required.   
Written notice.   
Registration of abandonment.

Compensation  
in case of  
abandonment.

**3.** The fact of such abandonment or revesting shall be taken into account, in connection with all the other circumstances of the case, in estimating or assessing the amount to be paid to any person claiming compensation for the land taken.

Section added.

**4.** The following section is inserted immediately after section 28 of the said Act :—

Alteration in  
or addition to  
works may be  
ordered.

“**28A.** If the injury to any land or property alleged to be injuriously affected by the construction of any public work may be removed wholly or in part by any alteration in, or addition to, any such public work, or by the construction of any additional work, or by the abandonment of any portion of the land taken from the claimant, or by the grant to him of any land or easement, and if the Crown, by its pleadings, or on the trial, or before judgment, undertakes to make such alteration or addition, or to construct such work, or to abandon such portion of the land taken, or to grant such land or easement, the damages shall be assessed in view of such undertaking, and the court shall declare that, in addition to any damages awarded, the claimant is entitled to have such alteration or addition made or such work constructed, or such grant made to him.”

1889, c. 38,  
s. 3 repealed.

**5.** Section 3 of chapter 38 of the statutes of 1889, intituled *An Act to amend the law respecting the Exchequer Court of Canada*, is repealed.

Saving.

**6.** Nothing herein contained will affect any pending suit or claim.

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## 3 EDWARD VII.

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### CHAP. 23.

#### An Act to amend the Fisheries Act.

[Assented to 13th August, 1903.]

**H**IS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

**1.** The section substituted for section 6 of *The Fisheries Act*, chapter 95 of the Revised Statutes, by section 1 of chapter 51 of the statutes of 1894, is repealed, and the following is substituted therefor :—

R.S.C., c. 95,  
new s. 6.

**“6.** Every one who hunts or kills fish or marine animals of any kind, other than porpoises, whales and walruses, by means of rockets, explosive materials, or explosive projectiles or shells, shall be liable to a penalty not exceeding three hundred dollars and costs, and, in default of payment, to imprisonment for a term not exceeding six months.”

Use of rockets  
and  
explosives.

**2.** Subsection 15 added to section 14 of the said Act by section 1 of chapter 43 of the statutes of 1891, is repealed, and the following is substituted therefor :—

Section 14  
amended.

**“15.** The use of purse seines for the capture of fish in any of the waters of Canada is prohibited under a penalty for each offence of not less than fifty dollars, and not exceeding five hundred dollars, together with the confiscation of the vessel, boat and apparatus used in connection with such capture: Provided always that the Minister of Marine and Fisheries may issue special fishery licenses for the use of purse seines in certain waters in the province of British Columbia specified in the said licenses.”

Use of purse  
seines.

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## 3 EDWARD VII.

### CHAP. 24.

#### An Act further to amend the General Inspection Act

[Assented to 24th October, 1903.]

**H**IS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

**1.** *The General Inspection Act*, chapter 99 of the Revised Statutes, is amended by adding the following sections thereto :— R.S.C., c. 99 amended.

**"112.** The Governor in Council may appoint in and for any inspection district east of the inspection district of Manitoba, a chief weighmaster, whose duties and powers shall be defined by Order in Council, and may also, in any place where inspection of grain is authorized under this Act, or where is situate any public terminal elevator, appoint a weighmaster and such assistants as are necessary ; and such weighmasters and assistants shall receive such compensation, by fees or otherwise, as is determined by the Governor in Council. Appointments of chief weighmaster and assistants east of Manitoba.

**"2.** Every weighmaster or assistant weighmaster so appointed shall, before exercising the duties of his office, subscribe to an oath of office and furnish a guarantee bond in such amount as the Minister of Trade and Commerce directs. Oath of office and bond.

**"113.** The offices of chief weighmaster and chief inspector may be combined until otherwise ordered by the Governor in Council. Combination of officers.

**"114.** The weighmasters and assistants shall, under the direction of the chief weighmaster, supervise and have exclusive control of the weighing of grain inspected, subject to inspection or otherwise, or received into or shipped out from public terminal elevators. Powers and duties of weighmasters.

**"115.** Every weighmaster or assistant shall give upon demand to any person having weighing done by him, a certificate under his hand, showing the amount of each weight, the number of each car weighed, the initial of the car, the place where weighed, the date of weighing and the contents of the car, and such certificate shall be, in all cases, prima facie evidence of the facts therein contained. Certificate as evidence.

Record to  
be kept.

"**116.** All weighmasters and their assistants shall make true weights, under the penalties in this Act provided, and keep a correct record of all weighing done by them at the places for which they are appointed, in which record shall be entered an accurate account of all grain weighed, or the weighing of which was supervised by them or their assistants, giving the amount of each weight, the number of each car weighed, the initial letter of each car, the place where weighed, the date of weighing and the contents of the car.

Fees.

"**117.** The fees for the weighing of grain shall be such as are determined by the Governor in Council, who may from time to time increase or reduce them.

Rules and  
regulations.

"**118.** The chief weighmaster may adopt rules and regulations for the weighing of grain, subject to the approval of the Minister of Trade and Commerce.

Interfering  
with  
weighmaster.

"**119.** If any person, by himself or by his agent or employee, refuses or prevents a weighmaster or any of his assistants from having access to his scales, in the regular performance of their duties in supervising the weighing of grain in accordance with this Act, he shall, upon summary conviction, be liable to a penalty not exceeding one hundred dollars for each offence."

Penalty.

Appointments  
permanent.

**2.** The appointment of persons by the Governor in Council under the provisions of section 15 of *The General Inspection Act*, as enacted by section 2 of chapter 23 of the statutes of 1892, for the purpose of choosing samples of grain to be standards by which the inspection of grain shall be governed, shall be held to be permanent and effective until superseded and replaced by other appointments by the Governor in Council for that purpose; and the persons so appointed shall only select and establish the standards found necessary under the provision of subsection 2 of the said section 15, to be designated as "commercial grade"; and in the inspection of all grain other than that subject to be graded as commercial grade, the inspectors shall be governed by the grades established by section 44 of *The General Inspection Act*, as enacted by section 4 of chapter 25 of the statutes of 1899, and amended by section 1 of chapter 24 of the statutes of 1901.

Standards.

"Worm-  
eaten;"  
"buggy."

**3.** The expression "worm-eaten" where it occurs in connection with the grades of Pease in section 44 of *The General Inspection Act*, as enacted by section 4 of chapter 25 of the statutes of 1899, shall be held to include the expression "buggy," and all buggy pease shall be subject to the same grading as worm-eaten pease.





## 3 EDWARD VII.

### CHAP. 25.

An Act respecting the Good Shepherd Reformatory in the City of Saint John, New Brunswick.

[Assented to 25th June, 1903.]

**H**IS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

1. In this Act the expression “court” includes a police “Court” or stipendiary magistrate or justice of the peace. defined.

2. Whenever any woman or girl, who is a Roman Catholic, is convicted in the city or county of Saint John, in the province of New Brunswick, of any offence against the laws of Canada, punishable by imprisonment for a maximum term of less than two years, the court may sentence such woman or girl to imprisonment in the Good Shepherd Reformatory in the said city of Saint John instead of the common jail or other prison. Certain female offenders may be sentenced to Good Shepherd Reformatory in St. John.

3. Whenever any such woman or girl is convicted in the said city or county of Saint John under section 198 of *The Criminal Code*, 1892, of keeping a common bawdy house, or under section 198A of the said Code, as the said section is enacted by chapter 13 of the statutes of this present session, of being an inmate or habitual frequenter of a common bawdy house, or is convicted under sections 207 and 208 of the said Code of an offence under those sections, or is convicted of an offence under an amendment of any of the said sections, or is convicted under Part LV. of the said Code of an offence triable under that part, she may be sentenced to imprisonment in the said Good Shepherd Reformatory for any term less than two years; provided that if a term exceeding six months is inflicted, no fine shall be imposed in addition. In certain cases for less than two years.

4. Any officer appointed by the Lieutenant Governor, or other officer or person by his direction or by direction of the court or other lawful authority, may convey to the said Good Shepherd Conveyance of prisoners.

Shepherd Reformatory any convict sentenced to be imprisoned therein, and deliver her to the superintendent or keeper thereof, without any further warrant than a copy of the sentence, taken from the minutes of the court before which the offender was tried, and certified by a judge or the clerk or acting clerk of such court.

Superintendant to receive and detain offenders.

5. The superintendent or keeper of the said Good Shepherd Reformatory shall receive therein every offender legally certified to her as sentenced to imprisonment therein, and shall there detain her, subject to all the rules, regulations and discipline thereof, until the term for which she has been sentenced is completed, or until she is otherwise discharged in due course of law.

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## 3 EDWARD VII,

### CHAP. 26.

#### An Act to amend the Inland Revenue Act.

[Assented to 25th June, 1903.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

1. Section 46 of *The Inland Revenue Act*, chapter 34 of the Revised Statutes, is repealed and the following is substituted therefor :—

R.S.C., c. 34,  
new s. 46.

“46. The several duties imposed by this Act shall be due and payable on the first day of each month, for the quantities of each article or commodity produced or manufactured during the preceding month unless another time of payment is herein expressly fixed.”

When duties  
shall be  
payable.

2. In correction of a clerical error in the French version of section 131 of the said Act, as amended by section 2 of chapter 24 of the statutes of 1899, the word “*quatre*” is inserted after the word “*vingt*” in the last line of paragraph (a) of sub-section 1 of the said section.

Clerical error  
corrected in  
s. 131.

3. Sub-paragraph (1) of paragraph (d) of section 131 of the said Act is repealed, and the following substituted in lieu thereof, and shall apply to all transactions subsequent to the first day of July, one thousand nine hundred and two :—

Section 131  
amended as  
from July  
1, 1902.

“(1.) An abatement not exceeding three per cent in distilleries using grain, and four per cent in distilleries using molasses or other saccharine matter only, for such quantity of fusel oil or other refuse as is separated therefrom by a second process of distillation,—the quantity so allowed in abatement being determined and destroyed in the presence of an officer of excise or otherwise accounted for in accordance with such regulations as are approved by the Governor in Council.”

Abatement  
for refuse.

4. Section 240 of the said Act is repealed and the following is substituted therefor :—

New s. 240.

“240. Goods manufactured in bond shall remain in the place for which the license was granted, in like manner and subject to the like restrictions and to the supervision of the officers

Payment of  
duties on  
goods manu-  
factured in  
bond.

officers of Inland Revenue, as by law provided with respect to other goods manufactured in Canada and subject to excise; and the duty thereon shall be paid in like manner within one day of the close of every month, unless such goods are then exported or warehoused, as they may be, in the manner provided with respect to other goods subject to excise."

Section 241  
amended.

5. Subsection 3 of the section substituted for section 241 of the said Act by section 11 of chapter 15 of the statutes of 1889, is repealed and the following is substituted therefor:—

When duty  
is payable.

"3. When it is ascertained by the quarterly stock-taking that the standard of production established by or under this Act has not been reached by any bonded manufacturer, the duty on the quantity of spirits equivalent to the deficiency so determined shall become due and payable within one day of the close of each quarter, except that in cases where a deficiency has been found, and where the Minister of Inland Revenue, after a proper inquiry, is satisfied that such failure to reach the established standard was not due to any fraudulent dealings by the manufacturer, the quarter in which the deficiency arose and the one immediately following may, for the purpose of computing the standard of production, be merged and dealt with as one period."

Application  
of section.

2. The provisions of this section shall apply to all transactions subsequent to the first day of July, 1902.

Section 260  
amended.

6. Subsection 2 of section 260 of the said Act is repealed and the following is substituted therefor:—

Packages to  
be marked.

"2. Every wooden, metal or other package containing cavendish, plug or twist tobacco weighing one pound or over, and all packages containing fine-cut chewing tobacco or snuff weighing five pounds or over, shall have printed or marked thereon the registered number of the manufactory, the number of the Inland Revenue Division in which the manufactory is situated, and the gross weight, the tare and net weight of the tobacco in each package: Provided, that cut tobacco, fine-cut shorts (the refuse of fine-cut chewing tobacco), refuse scraps, cuttings, stems and sweepings of tobacco, may be sold in bulk as material, and without the payment of duty, by one manufacturer directly to another manufacturer, or for exportation, under such restrictions and regulations as the Department of Inland Revenue prescribes; and provided further, that wood, metal, paper or other material may be used separately or in combination for packing tobacco or cigars, under such regulations as the Department of Inland Revenue prescribes."

Proviso:  
exception as to  
cut tobacco,  
etc.

Proviso: as  
to material  
for packing.





## 3 EDWARD VII.

### CHAP. 27.

An Act to amend the Act respecting the Judges of Provincial Courts.

[Assented to 24th October, 1903.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Section 3 of the *Act respecting the Judges of Provincial Courts*, chapter 138 of the Revised Statutes, as amended by section 1 of chapter 52 of the statutes of 1898, is repealed, and the following is substituted therefor:—

“3. The salaries of the judges of the Supreme Court of Judicature of Ontario shall be as follows:—

The Chief Justice of Ontario .....	\$6,000	per annum.	Salaries of judges of Supreme Court of Judicature, Ontario.
Four Justices of Appeal, each. ....	5,000	“	
The Chief Justice of the King's Bench. ....	6,000	“	
Two Judges of the High Court of Justice, King's Bench Division, each ..	5,000	“	
The Chancellor of Ontario.....	6,000	“	
Two Judges of the High Court of Justice, Chancery Division, each.....	5,000	“	
The Chief Justice of the Common Pleas	6,000	“	
Two Judges of the High Court of Justice, Common Pleas Division, each ..	5,000	“	
The Chief Justice of the Exchequer Division. ....	6,000	“	
Two Judges of the High Court of Justice, Exchequer Division, each.....	5,000	“	

“2. If the Chief Justice of the King's Bench, the Chancellor of Ontario, the Chief Justice of the Common Pleas, or the Chief Justice of the Exchequer Division is appointed to the Court of Appeal, the Governor in Council may direct that he be paid a salary not less than that previously enjoyed by him as such Chief Justice or Chancellor.”

Salary of  
chief justice,  
etc., if ap-  
pointed to  
Court of  
Appeal.

New s. 10.

Salaries of  
judges of  
N.-W. T.

2. Section 10 of the said Act, as enacted by section 2 of chapter 39 of the statutes of 1901, is repealed, and the following is substituted therefor :—

“10. The salaries of the judges of the Supreme Court of the North-west Territories shall be as follows :—

“The Chief Justice of the said court, \$5,000 per annum ; and five puisné judges of the said court, each \$4,000 per annum.”

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## 3 EDWARD VII.

### CHAP. 28.

#### An Act further to amend the Act respecting the Judges of Provincial Courts.

[Assented to 24th October, 1903.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

1. Section 4 of the *Act respecting the Judges of Provincial Courts*, chapter 138 of the Revised Statutes, as enacted by <sup>new s. 4</sup> section 2 of chapter 52 of the statutes of 1898, and amended by section 1 of chapter 39 of the statutes of 1901, is repealed, and the following is substituted therefor :—

“4. The salaries of the judges of the Court of King’s Bench and of the Superior Court, in the province of Quebec, shall be <sup>Salaries of Quebec judges.</sup> as follows :—

The Chief Justice of the King’s Bench..... \$6,000 per annum.

Five puisné judges of the said court, each.. 5,000 “

The Chief Justice of the Superior Court ... 6,000 “

Seventeen puisné judges of the said court, whose residences are fixed at Montreal or Quebec (including the judge to whom the district of Terrebonne is assigned), each ..... 5,000 “

Fifteen puisné judges of the said court, whose residences are fixed within districts other than Bonaventure and Gaspé or Saguenay, each ..... 4,000 “

Two puisné judges of the said court, whose residences are fixed within the districts of Bonaventure and Gaspé or Saguenay, each..... 3,500 “

If the Chief Justice of the Superior Court resides at Quebec, the judge residing at Montreal who is appointed by the Governor in Council to perform the duties of chief justice in the district of Montreal as

it is comprised and defined for the Court of Review,—or, if the chief justice resides at Montreal, the judge residing at Quebec who is appointed by the Governor in Council to perform the duties of chief justice in the district of Quebec as it is comprised and defined for the Court of Review,—in addition to his other salary. \$1,000 per annum.

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## 3 EDWARD VII.

### CHAP. 29.

An Act to amend the Supreme and Exchequer Courts Act, the Exchequer Court Act, and the Act respecting the Judges of Provincial Courts.

[Assented to 24th October, 1903.]

**H**IS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. If any judge of the Supreme Court of Canada, or of the Exchequer Court of Canada, or of any superior court in Canada, resigns his office, His Majesty may, by letters patent under the great seal of Canada, reciting such judge's age and period of service, grant to him an annuity equal to the salary of the office held by him at the time of his resignation, to commence immediately after his resignation, and to continue thenceforth during his natural life; provided such judge has (a) attained the age of seventy-five years, and continued in office as judge of one or more of the said courts, or as such judge and as stipendiary magistrate of the North-west Territories, for twenty years and upwards, or (b) attained the age of seventy years, and continued in office as judge of one or more of the said courts for twenty-five years or upwards, or (c) continued in office as judge of one or more of the said courts for thirty years or upwards.

Pensions to judges of Supreme, Exchequer and Superior Courts.

2. Every County Court judge who has attained the age of eighty years shall be compulsorily retired; and to any judge who is so retired, or who, having attained the age of seventy-five years, resigns his office, and in the latter case has continued in office for a period of twenty-five years or upwards, His Majesty may grant an annuity equal to the salary of the office held by him at the time of his retirement, or resignation; or if he has continued in office as such judge for a less period than twenty-five years and become afflicted with some permanent infirmity, disabling him from the due execution of his office, an annuity equal to two-thirds of such salary; the

Pensions to county court judges.

annuity in either of the above cases to commence immediately after his retirement or resignation, and to continue thenceforth during his natural life.

Pensions to  
county court  
judges  
disabled by  
infirmity.

3. If any judge of a County Court, after having continued in office for a period of thirty-five years, and become afflicted with some permanent infirmity, disabling him from the due execution of his office, resigns his office, His Majesty may, by letters patent under the great seal of Canada, grant to him a pension equal to the salary of his office at the time of his resignation, the said annuity to commence immediately after his retirement, and to continue thenceforth during his natural life.

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## 3 EDWARD VII.

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### CHAP. 30.

An Act to amend the Act relating to the custody of juvenile offenders in the province of New Brunswick.

[Assented to 25th June, 1903.]

**H**IS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Chapter 33 of the statutes of 1893, intituled *An Act* 1893, c. 33, relating to the custody of juvenile offenders in the province of New Brunswick, as amended by chapter 59 of the statutes of 1894, is further amended by adding to it the following section:—

“17. The Governor General, by warrant under his hand, may at any time, in his discretion, on the application of the Attorney General of the province of New Brunswick, cause any boy who is imprisoned in the Boys’ Industrial Home under sentence for an offence within the law of Canada and for a term of years for which he might have been sentenced to imprisonment in a penitentiary, to be transferred to the Dorchester penitentiary for the remainder of his term of imprisonment.”

Transfer of boys from industrial home to penitentiary.

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## 3 EDWARD VII.

### CHAP. 31.

An Act to provide for the payment of bounties on lead contained in lead-bearing ores mined in Canada.

[Assented to 24th October, 1903.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

1. The Governor in Council may authorize the payment of a bounty of seventy-five cents per one hundred pounds on lead contained in lead-bearing ores mined in Canada, such bounty to be paid to the producer or vendor of such ores : Provided, that the sum to be paid as such bounty shall not exceed five hundred thousand dollars in any fiscal year : Provided also, that when it appears to the satisfaction of the Minister charged with the administration of this Act that the standard price of pig lead in London, England, exceeds twelve pounds ten shillings sterling per ton of two thousand two hundred and forty pounds, such bounty shall be reduced by the amount of such excess.

Bounties on lead refined in Canada.  
Limitation.  
Reduction if price of pig lead rises.

2. Payment of the said bounty may be made from time to time to the extent of sixty per cent upon smelter returns showing that the ore has been delivered for smelting at a smelter in Canada. The remaining forty per cent may be paid at the close of the fiscal year, upon evidence that all such ore has been smelted in Canada.

Mode of payment.

3. If at the close of any year it appears that during the year the quantity of lead produced, on which the bounty is authorized, exceeds thirty-three thousand three hundred and thirty-three tons of two thousand pounds, the rate of bounty shall be reduced to such sum as will bring the payments for the year within the limit mentioned in section 1.

Reduction of rate if production excessive.

3. If at any time it appears to the satisfaction of the Governor in Council that the charges for transportation and treatment of lead ores in Canada are excessive, or that there

Bounty in certain case on lead in ore exported.

is any discrimination which prevents the smelting of such ores in Canada on fair and reasonable terms, the Governor in Council may authorize the payment of bounty, at such reduced rate as he deems just, on the lead contained in such ores mined in Canada and exported for treatment abroad.

Bounty when  
ore is not  
smelted.

**4.** If at any time it appears to the satisfaction of the Governor in Council that products of lead are manufactured in Canada direct from lead ores mined in Canada without the intervention of the smelting process, the Governor in Council may make such provision as he deems equitable to extend the benefits of this Act to the producers of such ores.

Duration  
of Act.

**5.** The said bounties shall cease and determine on the thirtieth day of June, one thousand nine hundred and eight.

Regulations.

**6.** The Governor in Council may make regulations for carrying out the intention of this Act.

Repeal of  
1901, c. 8.

**7.** Chapter 8 of the statutes of 1901, intituled *An Act to provide for the payment of bounties on lead refined in Canada*, is repealed.

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## 3 EDWARD VII.

### CHAP. 32.

#### An Act respecting the Librarians of Parliament.

[Assented to 24th October, 1903.]

**I**N amendment of the Act respecting the Library of Parliament, R.S.C., c. 15, chapter 15 of the Revised Statutes, His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

**1.** The General Librarian and the Parliamentary Librarian of the Library of Parliament shall each have the rank of a deputy head of a department, and their salaries shall each be three thousand five hundred dollars per annum, with an annual increase of one hundred dollars, up to a maximum of four thousand dollars per annum. Rank and salaries of librarians.

**2.** For the purpose of determining the salary of the officers at present occupying the said positions, each shall be credited with his period of service, and shall hereafter be paid such salary as he would by length of service have become entitled to had the provision of the next preceding section been in force at the time of his appointment. Salaries of present librarians

**3.** During the financial year ending the thirtieth day of June, one thousand nine hundred and four, there may be paid out of the Consolidated Revenue Fund such sums as are required for payment of the increases of salary hereinbefore mentioned. Payment for 1903-4.

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## 3 EDWARD VII.

### CHAP. 33.

An Act to amend the Manitoba Grain Act, 1900.

[Assented to 24th October, 1903.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

1. Chapter 19 of the statutes of 1902 is repealed.

1902, c. 19  
repealed.

2. In *The Manitoba Grain Act*, 1900, unless the context otherwise requires,—

Interpreta-  
tion of 1900,  
c. 19.

(a.) The expression “operator,” or the expression “lessee” shall include any buyer of grain having allotted to him any storage or working space, or bin or bins in any elevator, warehouse or flat warehouse; “Operator.”  
“Lessee.”

(b.) The expression “applicant,” meaning an applicant for cars, shall mean any person who owns grain for shipment in car lots, or who is an operator of any public country elevator, warehouse or flat warehouse; “Applicant.”

(c.) The expression “agent” or “railway agent” shall include any railway station agent; “Agent.”  
“Railway agent.”

(d.) The expression “track buyer” means any person, firm or company who buys grain in car lots on track; “Track buyer.”

(e.) The expression “commissioner” means the warehouse commissioner for the Inspection District of Manitoba; and “Commissioner.”

(f.) The expression “Minister of Inland Revenue” shall mean the Minister of Trade and Commerce. “Minister.”

3. The following subsection is added to section 3 of the said Act :—

Section 3  
amended.

“2. The Governor in Council may appoint two or more officers, to be known as deputy warehouse commissioners, who shall be under the direction of, and assist in discharging the duties prescribed for, the commissioner, and who shall in their oaths of office declare, respectively, that they are not directly or indirectly pecuniarily interested in the grain trade; and the salaries of the said deputy warehouse commissioners, and the security to be given by them, shall be determined by the Governor in Council.” Deputy  
Warehouse  
Commission-  
ers.

Section 4  
amended.

4. Paragraph (a) of section 4 of the said Act is repealed, and the following is substituted therefor:—

“(a) To require all track buyers and owners and operators of elevators, warehouses and mills, and all grain commission merchants, to take out an annual license;”

2. Paragraph (b) of the said section 4 is amended by adding the words “and track buyers” at the end of the said paragraph; and

3. Paragraph (e) of the said section 4 is amended by inserting the words “or track buyers,” between the word “merchant” and the word “and” in the sixth line of the said paragraph.

Section 10  
amended.

5. Section 10 of the said Act is amended by adding at the end thereof the following words “and stating if the car is leaking or in bad order.”

Section 24  
amended.

6. Section 24 of the said Act is amended by striking out the words “on each Tuesday morning” and substituting therefor the words “as directed by the commissioner,” and by inserting the word “weekly” between the words “a” and “statement” in the second line thereof.

Section 29  
amended.

7. The following subsection is added to section 29 of the said Act:—

Application  
for site.

“2. Any person, firm, or corporation, desirous of erecting a public country elevator shall make application to the railway company for a site; and, in case of dispute, such dispute shall be referred to the commissioner.”

Section 34  
amended.

8. Subsection 1 of section 34 of the said Act is amended by inserting between the words “shall” and “keep” in the second line thereof the words “receive the first six standard grades of wheat established and described in *The General Inspection Act*, as amended by subsequent Acts and shall.”

Section 34  
amended.

If no room,  
or elevator  
closed.

9. The said subsection 1 of section 34 is further amended by adding at the end thereof the following words:—“Nothing in this section shall be construed to require the receipt of any kind of grain into an elevator in which there is not sufficient room to accommodate or store it properly, or in cases where such elevator is necessarily closed.”

Section 34  
amended.

Holder not  
liable for  
storage  
charges.

10. Subsection 2 of the said section 34 is amended by striking out the word “immediately” in the fifth line; by striking out the words “provided that in any case where at least seven days prior to the expiry of any storage period for which storage charges are lawfully payable, or have accrued, and the holder of the receipt has in writing required his grain to be shipped out, he, the said holder, shall not, for any cause, be thereafter liable for storage charges for any time after such storage period,” in the thirteenth and following lines; and by

substituting the word "shipped" for the word "delivered" in the nineteenth line of the said subsection.

**11.** The said section 34 is further amended by inserting the following subsection immediately after subsection 2 :—

Section 34  
amended.

"2a. Provided, however, that any person having grain stored or binned in not less than car lots in any public country elevator or warehouse, whether in general or special bin, may order a car or cars to be placed at such elevator or warehouse, for the shipment of such stored grain, and may have the said car or cars loaded at such elevator or warehouse after he has surrendered to the operator thereof the storage receipt or receipts thereof, properly endorsed, and has paid, or tendered payment of, all lawful charges as hereinbefore provided ; and it shall not be subject to any further charges for storage after demand for such delivery is made and cars are furnished by the railway company. The grain represented by such receipt shall be shipped within twenty-four hours after such demand has been made and cars have been furnished. Provided that this subsection shall not be held to limit or curtail the right of any applicant, whether he has or has not grain stored or binned as above stated."

Ordering cars  
to elevator or  
warehouse.

Time limit  
for shipment.

Proviso.

**12.** Section 35 of the said Act is amended by striking out the word "possible" where it first occurs in the sixth and seventh lines thereof, and substituting therefor the word "known ;" and by striking out the words "one month" in the twenty-eighth line thereof, and substituting therefor the words "ten days."

Section 35  
amended.

**13.** Subsection 1 of section 39 is repealed, and the following is substituted therefor :—

Section 39  
amended.

"39. Any person operating a country elevator or warehouse, under this Act shall at all times when requested by the commissioner furnish in writing to the said commissioner a statement as full as possible of all grain received and stored in, or delivered or shipped from, such elevator or warehouse, during any period required by the commissioner ; such statement shall specify the kind, grade and amount of all grain received or stored, and of all grain delivered or shipped during such period ; and such statement and report shall be made upon blanks and forms furnished and prescribed by the commissioner."

Statement  
of grain  
handled.

**14.** The following is enacted as subsection 1 of section 41 of the said Act :—

Section 41  
amended.

"41. On a written application to the commissioner by any person residing within forty miles of his nearest shipping point he may give permission to such person to erect, under the provisions of the Act, a flat warehouse, covered with metal, with power to enlarge it should necessity require it, at such shipping point. Such flat warehouse shall be erected on the railway company's

Direction of  
flat ware-  
house.



company's premises, after getting location of a siding, and the railway company shall be compelled to give such location with siding on its premises in some place of convenient access, to be approved of by the commissioner, at a rental not greater than that charged to standard elevators. If, in the judgment of the commissioner, more than one of these warehouses are required at a station, one or more additional warehouses may be authorized by him, and in that case all the provisions of this section shall apply to the construction of such warehouses."

Section 41  
amended.

**15.** The following subsection is added to the said section 41:—

Erection to be  
commenced  
within sixty  
days.

"8. Any person, firm, or corporation, who under the provisions of this Act has secured from the railway company a site at any shipping point on which to erect an elevator or flat warehouse, shall, after such site has been staked out by the railway company, commence the erection of such elevator or flat warehouse within sixty days, and complete it with all reasonable expedition, otherwise the application therefor may be cancelled by the railway company."

New s. 42.

**16.** The following section is enacted as section 42 of the said Act:—

Loading  
platforms.

"42. On a written application to the commissioner by ten farmers resident within twenty miles of their nearest shipping point, and on the approval of the application, the railway company shall, within the time hereinafter mentioned, erect and maintain at such point a loading platform as hereinafter described, suitable for the purpose of loading grain from vehicles direct into cars.

Location and  
dimensions.

"2. Each loading platform shall be erected within the limit of the station yard, or upon a siding where there is no station, at a siding which the railway company shall provide on its premises in some place convenient of access, to be approved by the commissioner, and shall be at least eighteen feet wide and fifty-four feet long, and of such height as the commissioner prescribes; but no loading platform shall be required to be erected at crossing sidings reserved for crossing purposes only.

Free of  
charge.

"3. All persons desiring to use such loading platform for the shipment of grain shall be entitled to do so free of charge.

Company to  
construct  
within thirty  
days.

"4. The railway company shall construct such loading platform within thirty days after the application is made to such company by the commissioner, unless prevented by strikes or other unforeseen causes, and shall be liable to a fine of not less than twenty-five dollars for each day's delay beyond that time. The period in each year within which the commissioner may receive such applications shall be between the fifteenth of April and the fifteenth of October, provided that the company shall not be compelled to build any such loading platforms between the first day of November and the first day of May following.

Period for  
applications.



"5. The commissioner may at any time between the fifteenth day of April and the fifteenth day of October order the railway company to enlarge any platform at any station or siding under the provisions of this Act, or order the company to erect additional platforms at such station or siding, if, in his judgment, the loading platform or platforms at such station or siding is or are insufficient to accommodate the public, and the railway company shall enlarge such platforms or erect such additional platforms at such station or siding, as directed by the commissioner, within thirty days after the receipt of a commissioner's order therefor.

Enlarging of  
platforms.

Effect of  
commission-  
er's order.

"6. The railway company shall, upon application, furnish cars to applicants for the purpose of being loaded at such loading platforms. When more cars are furnished at any point than can be accommodated at such platform, the surplus cars shall be placed by the railway company at such applicants' disposal at a convenient place or places, on a siding other than at the platform; provided that shippers shall at all times have the option of loading on the siding instead of over the platform, if they so desire; and at any point where there is no platform, cars shall be furnished to applicants by the railway company at convenient places on a siding for the purpose of being loaded direct from vehicles."

Furnishing  
cars by  
company.

Cars where  
no platform  
exists.

**17.** Section 43 of the said Act is amended by adding thereto the following subsections:—

Section 43  
amended.

"2. Whenever any grain commission merchant sells all or a portion of any grain consigned to him to be sold on commission, he shall on demand, within twenty-four hours thereafter, report the quantity sold of the consignment, and render a true statement to the consignor, showing what portion of the consignment has been sold, and the price received therefor, and the date when each sale was made, with copies of vouchers for all charges and expenses paid or incurred.

Statement of  
commission  
merchant.

"3. Whenever any consignor who has consigned grain to any commission merchant, after demand therefor, receives no remittance therefor, or report of the sale thereof, or if in any case after report is made he is dissatisfied with the report or sale thereof, he may make a complaint in writing, verified by affidavit or statutory declaration, to the commissioner, who shall, upon receipt thereof, investigate the sale complained of, and may compel the commission merchant to produce his books and records and other memoranda of such sale and give all information in his possession regarding the report or sale so complained of, including the names of persons to whom the grain is sold or disposed of. Immediately after the investigation the commissioner shall render to the complainant a written report of the investigation, which report shall be prima facie evidence in all courts of the matter therein contained.

Complaint in  
writing by  
consignor to  
commission-  
er.

Commission-  
er's report of  
investigation.

"4. Any person, firm or corporation, desiring to carry on the business of such grain commission merchants in the Manitoba Grain Inspection District, shall make application in writing to

Application  
for license  
to deal on  
commission.

the commissioner for a license to sell grain on commission, stating the locality where he intends to carry on such business, and the probable amount of business he will do monthly. On receiving such application the commissioner shall fix the amount of bond to be given; and upon the execution of a bond to His Majesty, to the satisfaction of the commissioner, and upon payment of the license fee of two dollars, the commissioner shall issue a license to the applicant to carry on the business of grain commission merchant, until the expiration of the current license year: Provided that if the amount of business done exceeds that provided for in the bond, the commissioner may at any time require such additional bond as he deems necessary.

“5. Provided that all statements made under the provisions of this Act shall be for the exclusive information of the commissioner, and no other person shall be permitted to see or examine the said statements unless they are required for use in court, and in such case the commissioner shall produce all statements and documents referring to the case.”

New s. 47. **18.** The following section is enacted as section 47 of the said Act:—

How moneys shall be dealt with. “**47.** From and after the first day of July, 1902, all moneys collected under the provisions of this Act, and all inspection fees upon grain inspection within the Manitoba district, as provided for under paragraph 20 of the schedule to chapter 25 of the statutes of 1899, shall, notwithstanding anything to the contrary in this Act or in the said chapter 25 or the schedule thereto, be paid by the chief grain inspector of the Manitoba district into the consolidated revenue fund of Canada, and accounts shall be kept by the said chief inspector in such manner and in such detail as is from time to time determined by the Minister of Trade and Commerce.”

Section 50 amended. **19.** Section 50 of the said Act is amended by adding the words “and the commissioner” at the end of that section.

New s. 57. **20.** The following section is enacted as section 57 of the said Act:—

Penalties. “**57.** Any person, firm or corporation guilty of an infraction of, or failing to comply with any provisions of, this Act, for which a penalty is not in this Act provided, or of any rule or regulation made pursuant to this Act, shall, upon summary conviction, in addition to any other punishment prescribed by law, be liable to a penalty of not less than ten dollars, nor more than one thousand dollars, and, in default of payment, to imprisonment for not less than one month nor more than one year.”

**21.** The following sections are added to the said Act :— New sections.

“ DISTRIBUTION OF CARS.

“**58.** At each station where there is a railway agent, and Order book.  
where grain is shipped under such agent, an order book for cars shall be kept for each shipping point under such agent, open to the public, in which applicants for cars shall make order.

“**2.** Applicants may make order according to their require- Applications.  
ments, and where an applicant requires two or more cars he shall make two or more applications, as the case may be.

“**3.** Cars so ordered shall be awarded to applicants accord- How cars shall  
be awarded.  
ing to the order in time in which such orders appear in the order book, without discrimination between elevator, flat warehouse, loading platform or otherwise.

“**4.** Each applicant, or an agent of the applicant duly ap- Failure to  
load cars.  
pointed in writing (such agent to be a resident in the vicinity of the shipping point), on being informed by the railway agent of the allotment to him of a car, in good order and condition, shall at once declare his intention and ability to load the said car within the next ensuing twenty-four hours.

“In the event of such applicant being unable to so declare his intention and ability to load the car allotted to him, the railway agent shall thereupon cancel the order by writing the word ‘cancelled’ in the remarks column of the car order book, and shall award the car to the next applicant entitled to it.

“And if the applicant, after declaring his intention and ability as aforesaid, shall not have commenced loading the car within the period of twenty-four hours from the time of the notice to himself or his agent, as herein directed, the railway agent shall thereupon cancel the order in like manner as aforesaid.

“**5.** Provided always that nothing in this Act shall be con- Penalty for  
transferring  
or selling  
right to car.  
strued to permit any applicant to transfer or sell his right to any car, and any applicant so doing shall be guilty of an offence under this Act, punishable, upon summary conviction before a justice of the peace, by a fine of not less than twenty-five dollars, and not more than one hundred dollars; and any person who, contrary to the provisions of this Act, obtains the placing of a name on the order book as an applicant shall be guilty of an offence punishable, upon summary conviction before a justice of the peace, by a fine of not less than twenty-five dollars, and not more than one hundred dollars.

“**6.** Provided further that each person to whom a car has Notice of  
destination  
of car.  
been allotted under the foregoing provisions shall, before commencing to load it, notify the railway agent of its proposed destination.

“**7.** A car shall not be considered to be furnished or sup- When car is  
considered  
furnished.  
plied until it is placed in good order and condition for loading as directed in the application in the car order book.



Cancellation  
of car order.

"8. No cancellation of a car order shall be lawful unless made in the manner mentioned in this section.

Orders signed  
by applicant.

"9. Car orders shall be signed in the order book by the applicant or his agent duly appointed in writing, and such agent's authority shall be deposited with the railway agent; and each car order shall be consecutively numbered in the order book by the railway agent.

Numbering  
of car.

Entries in  
order book.

"10. The railway agent shall at the time a car is ordered duly enter in the order book the date and time the application is made, the applicant's name, and where the car is to be placed, and shall give the application its consecutive number. When the car has been furnished, he shall enter in the order book the date and time the car was furnished and the car number, and, when loaded, the date of such loading and the destination of the car.

Notice of  
applications  
shall be  
posted up.

"11. The railway agent shall post up daily in a conspicuous place a written notice giving the date of application and name of each applicant to whom he has awarded cars for the loading of grain during each day, also the car numbers so awarded respectively, which notice shall be signed by the agent.

Form of car  
order book.

"12. The form of car order book authorized by the commissioner, and no other, shall be used at every railway station in the Manitoba Grain Inspection District, and the use of any other form shall constitute an offence under this Act. The railway company shall supply every agent where grain is to be shipped with the authorized form of car order book.

Spotting and  
placing of cars  
by company.

"13. An applicant may order the cars awarded to him to be spotted or placed by the railway company at any elevator, or at any flat warehouse, or at the loading platform, or at any siding, or elsewhere subject to the provisions of this Act; and the railway company shall so spot or place cars as ordered by applicants.

Order of  
distribution  
in case of  
failure to fill  
car orders.

"59. If there is failure at any shipping point to fill all car orders as aforesaid, then the following order of distribution shall be observed:—Beginning at the top of the list in the order book and proceeding downwards to the last name entered on the list, each applicant shall receive one car as quickly as cars can be supplied; then beginning at the top of the list of unfilled orders and proceeding downwards again to the bottom of the list, giving each person whose name appears on the order book as having unfilled orders one car; and the above method, beginning at the top of the list of unfilled orders and proceeding downwards to the last name entered on the list shall be followed until all orders have been filled; provided always that no applicant shall receive more than one car in any one round.

One car  
to each  
applicant.

1888, c. 29.

"60. Nothing in this Act shall be construed to relieve any railway company from any liability imposed by *The Railway Act*, or to deprive any person of any right of action against any railway company conferred by that Act.



"61. The provisions of this Act as to the distribution of cars shall not apply to the shipment of grain which is consigned to a point west of the boundary between British Columbia and the North-west Territories." Pacific coast consignments

"62. It shall be unlawful, except as hereinafter in this section provided, for any person, firm, or corporation, unless already licensed and bonded sufficiently in the opinion of the commissioner to carry on the business of a track buyer of grain in car lots, without having first obtained a license so to do from the commissioner, and entered into a bond, with sufficient sureties, for such amount and in such form as is approved by the commissioner. Provided that this section shall not apply to any such person, firm or corporation who, at or before the time of the receipt of the grain, pays to the vendor the full purchase price thereof. License and bonds of track buyers.

"2. All persons, firms or corporations licensed under this section shall on demand within twenty-four hours after the receipt of the expense bill and certificates of weight and grade, account to and pay over to the vendor the full balance of the purchase money then unpaid, and shall, upon demand by or on behalf of the vendor, furnish duplicate certificates of weight and grade, with car number and date and place of shipment. Payment of purchase money.

"3. The annual fee for such license shall be two dollars. Annual fee.

"4. All provisions of this Act relating to commission merchants shall, so far as applicable, apply to licenses issued under this section." Application of Act to licenses.

22. The form of storage receipt in the schedule to the said Act is amended by striking out the paragraph "No storage charges shall accrue in this elevator or warehouse after seven days' notice has been given in writing by the owner of the grain to the warehouseman, to ship from this elevator or warehouse." Form of storage receipt amended.

23. Form C in the schedule to the said Act is amended by striking out the words "the owner" in the twenty-first line, and substituting therefor the words "either party;" and by striking out the paragraph "No storage charges shall accrue in this elevator or warehouse after seven days' notice has been given in writing by the owner of the grain to the warehouseman, to ship from this elevator or warehouse." Form C. amended.





## 3 EDWARD VII.

### CHAP. 34.

An Act to amend the Act respecting Certificates to Masters and Mates of Ships.

[Assented to 24th October, 1903.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

1. Chapter 73 of the Revised Statutes, intituled: *An Act respecting Certificates to Masters and Mates of Ships*, is amended as hereinafter set forth. R.S.C., c. 73, amended.

2. Paragraphs (e) and (g) of the first section of such chapter, as enacted by the second section of chapter 42 of the statutes of 1894, are repealed, and the following paragraphs are substituted therefor :— Section 1, paragraphs (e) and (g) and 1894, c. 42, s. 2 amended.

“(e.) The expression ‘sea-going ship’ includes every ship employed in trading or going between a port or place in Canada and a port or place out of Canada not being within the limits mentioned in paragraph (g).” “Sea-going ship.”

“(g.) the expression ‘coasting voyage’ includes a voyage between any port or place on the eastern coast of Canada and any other port or place on such coast, or in Newfoundland, Labrador, St. Pierre or Miquelon, or on the eastern coast of the United States not further south than Cape Hatteras, in the state of North Carolina, and also includes a voyage between any port or place on the western coast of Canada and any other port or place on such coast, or on the western coast of the United States not further south than the harbour of Portland, in the state of Oregon, and not further north than Cape Spencer, in the territory of Alaska, or any inlet or bay having its entrance on the eastern side of such cape.” “Coasting voyage.”

3. The ninth, eleventh and fourteenth sections of such chapter, as enacted respectively by the fifth, sixth and seventh sections of the said chapter 42 of the statutes of 1894, are so amended as to conform to the next preceding subsection of this section. R.S.C., c. 73, ss. 9, 11, 14 and 1894, c. 42, ss. 5, 6, 7 amended.

1894, c. 42,  
s. 1 repealed.

4. The first section of the said chapter 42 of the statutes of 1894 is repealed.

Saving  
clause.

2. Nothing in this Act shall take away or impair any right or privilege held or enjoyed, at the time of its passing, by any master or mate.

R.S.C., c. 73,  
section 26  
amended.

3. Section 26 added to the said chapter 73 of the Revised Statutes by section 2 of chapter 45 of the statutes of 1898, is amended by striking out the word "ten" in the fifth line and substituting therefor the word "twenty."

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## 3 EDWARD VII.

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### CHAP. 35.

An Act to amend the Militia Pension Act, 1901.

[Assented to 25th June, 1903.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

1. Section 3 of *The Militia Pension Act*, 1901, is amended 1901, c. 17, s. 3  
by adding thereto the following subsection :—  
amended.

“7. Time served in the civil service, as constituted for the purposes of *The Civil Service Superannuation Act*, which would be reckoned in computing his period of service for the purposes of that Act, may also be included in the term of service of an officer for the purposes of this Act, and in such case the yearly deduction to be made under the said subsection 2 of section 5 shall be reduced by the average yearly deduction from his salary as an officer, clerk, or employee in the civil service under and for the purposes of *The Civil Service Superannuation Act* or any amendment thereof.”  
R.S.C. c. 18.  
Officer's service in civil service may be reckoned.

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## 3 EDWARD VII.

### CHAP. 36.

An Act to provide for further advances to the Harbour Commissioners of Montreal.

[Assented to 10th July, 1903.]

**H**IS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** The Governor in Council may from time to time advance \$3,000,000 and pay to the Corporation of the Harbour Commissioners of Montreal, hereinafter called “the Corporation,” in addition to the moneys authorized to be advanced to the Corporation by the Governor in Council by chapter 10 of the statutes of 1896 (first Session), and by chapter 47 of the statutes of 1898, and by chapter 9 of the statutes of 1901, such sums of money, not exceeding in the whole the sum of three million dollars, as are required to enable the Corporation to construct such further terminal facilities as are necessary to properly equip the port of Montreal.

**2.** No such advances shall be made unless the plans, specifications and estimates for the works to be performed by the Corporation, and on which the money so to be advanced is to be expended, have first been submitted to and approved by the Governor in Council.

Plans of works to be submitted.

**3.** The Corporation shall, upon any advance being made, deposit with the Minister of Finance and Receiver General debentures of the Corporation equal in par value to the advance so made, (which debentures the Corporation are hereby authorized to issue), and such debentures so issued shall be of such amounts as the Minister of Finance and Receiver General determines, and shall bear date on the day when such advance is made, and shall be repayable within twenty-five years from the date of their issue, and in the meantime shall bear interest at the rate of three per cent per annum, such interest to be payable half yearly, on the first day of July and the first day of January in each year.

Debentures to be deposited with Minister of Finance.

Payment  
of loans.

4. The principal and interest of the sums advanced under the authority of this Act to the Corporation shall be paid by the Corporation out of its revenue mentioned in section 8 of chapter 10 of the statutes of 1896 (first Session), and shall be a charge upon the said revenue in the same manner and to the same extent as if the sums so advanced had been borrowed by the Corporation under the said chapter 10.

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## 3 EDWARD VII,

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### CHAP. 37.

An Act to amend the Mounted Police Act, 1894.

[Assented to 24th October, 1903.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, declares and enacts as follows:—

1. Subsection 3 of section 13 of *The Mounted Police Act*, 1894, c. 27 1894, shall not apply, and shall not be deemed to have heretofore applied, to the North-west Mounted Police Force within the Yukon Territory.

s. 13.  
Duties of  
force in  
Yukon.

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## 3 EDWARD VII.

### CHAP. 38.

#### An Act to amend the Acts relating to Naturalization and Aliens.

[Assented to 13th August, 1903.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Section 11 of *The Naturalization Act*, chapter 113 of the R.S.C., c. 113, Revised Statutes, is hereby repealed and the following substituted therefor:—

“11. Such certificate shall be presented,—

“In Ontario, to the court of general sessions of the peace of the county within the jurisdiction of which the alien resides, or to the court of assize and *nisi prius* during its sitting in such county; Presentation of certificate.  
In Ontario.

“In Quebec, to the circuit court in and for the district within the jurisdiction of which the alien resides; In Quebec.

“In Nova Scotia, to the Supreme Court, during its sittings in the county within which the alien resides, or to the county court having jurisdiction in such county; In Nova Scotia.

“In New Brunswick, to the Supreme Court during its sittings in the county within which the alien resides, or to the circuit court, as the case may be, in such county, or to the county court having jurisdiction in such county; In New Brunswick.

“In British Columbia, to the Supreme Court of British Columbia, during its sittings in the electoral district within the jurisdiction of which the alien resides, or to the court of assize and *nisi prius* during its sittings in such electoral district, or to the county court of such electoral district; In British Columbia.

“In Manitoba, to the court of King’s Bench during its sittings in the judicial district within which the alien resides, or if the alien resides in the eastern judicial district, to a judge of the court of King’s Bench sitting in court; or to the court of assize and *nisi prius* during its sittings in the judicial district within which the alien resides; or to the county court of the county court division within which the alien resides; In Manitoba.

In Prince  
Edward  
Island.

"In Prince Edward Island, to the Supreme Court of Judicature during its sittings in the county within which the alien resides, or to the court of assize and *nisi prius* during its sittings in such county, or to the county court of such county ;

In the  
North west  
Territories.

"In the North-west Territories, to a judge of the Supreme Court of the North-west Territories sitting in chambers in the judicial district within which the alien resides ;

In the Yukon  
Territory.

"In the Yukon Territory, to the Territorial Court during its sittings in the circuit within the jurisdiction of which the alien resides."

R.S.C., c. 113,  
new section  
added.

2. The following section is hereby added to *The Naturalization Act* as section 11A thereof:—

Notice to be  
given of  
intention  
to present  
certificate.

"11A. When it is intended to present a certificate, under section 11 of this Act, on behalf of any alien, notice in writing of such intention, stating the name, residence and occupation or addition of such alien, shall be given to the clerk of the court at least three weeks before the sittings thereof; and the clerk shall post up in a conspicuous place in his office three weeks before such sittings, and keep posted there until such sittings are ended, a list showing the names, residences, and occupations or additions of all aliens as to whom due notice has been received by him of such intention.

List of notices  
to be posted.

Opposition to  
naturalization  
may be filed.

"2. At any time after the filing of any such notice and previous to the sittings of the court any person objecting to the naturalization of the alien may file in the office of the clerk an opposition in which shall be stated the grounds of his objections.

Presentation  
of certificate  
to be in open  
court.

"3. Presentation of such certificates shall be made in open court and on the first day of some general sittings of the court, and thereupon the judge shall cause the particulars of all such certificates to be openly announced in court, the name, residence, and occupation or addition of each applicant for naturalization being stated. Where no opposition has been filed to the naturalization of an applicant, and no objection thereto is offered during the sittings, the court on the last day of the sittings shall direct that the certificate of the applicant be filed of record in the court. If such opposition has been filed or objection offered the court shall hear and determine the same in a summary way and shall make such direction or order in the premises as the justice of the case requires.

Particulars to  
be announced

To be filed of  
record if no  
opposition.

Hearing and  
determination  
of opposition.

Interpretation.  
"Clerk."  
1902, c. 23.

"4. In this section the expression 'clerk' has the same meaning as it has in the *Act to amend the Naturalization Act*, chapter 23 of the statutes of 1902.

Special  
provisions  
for N.-W.  
Territories.

"5. In the North-west Territories the foregoing provisions of this section shall not apply, but in lieu thereof the procedure shall be as follows:—

"(a.) On the presentation of the certificate the judge shall cause a copy thereof to be posted up in a conspicuous place in the court-house in which he holds his chambers, for at least two weeks ;



“(b.) At any time after the said copy is so posted any one may file with the clerk of the court where the said copy has been posted a written notice of objection to the certificate of naturalization being granted, stating the grounds of such objection. On the Wednesday following, the expiration of the two weeks for which the copy is required to be posted, the judge shall hold a sittings in chambers, at which, if no objection has been raised, he shall direct the issue of a certificate of naturalization to the applicant, and if objection has been raised, he shall decide such objection in a summary way, and the judge shall have power to adjourn the said hearing from time to time.”

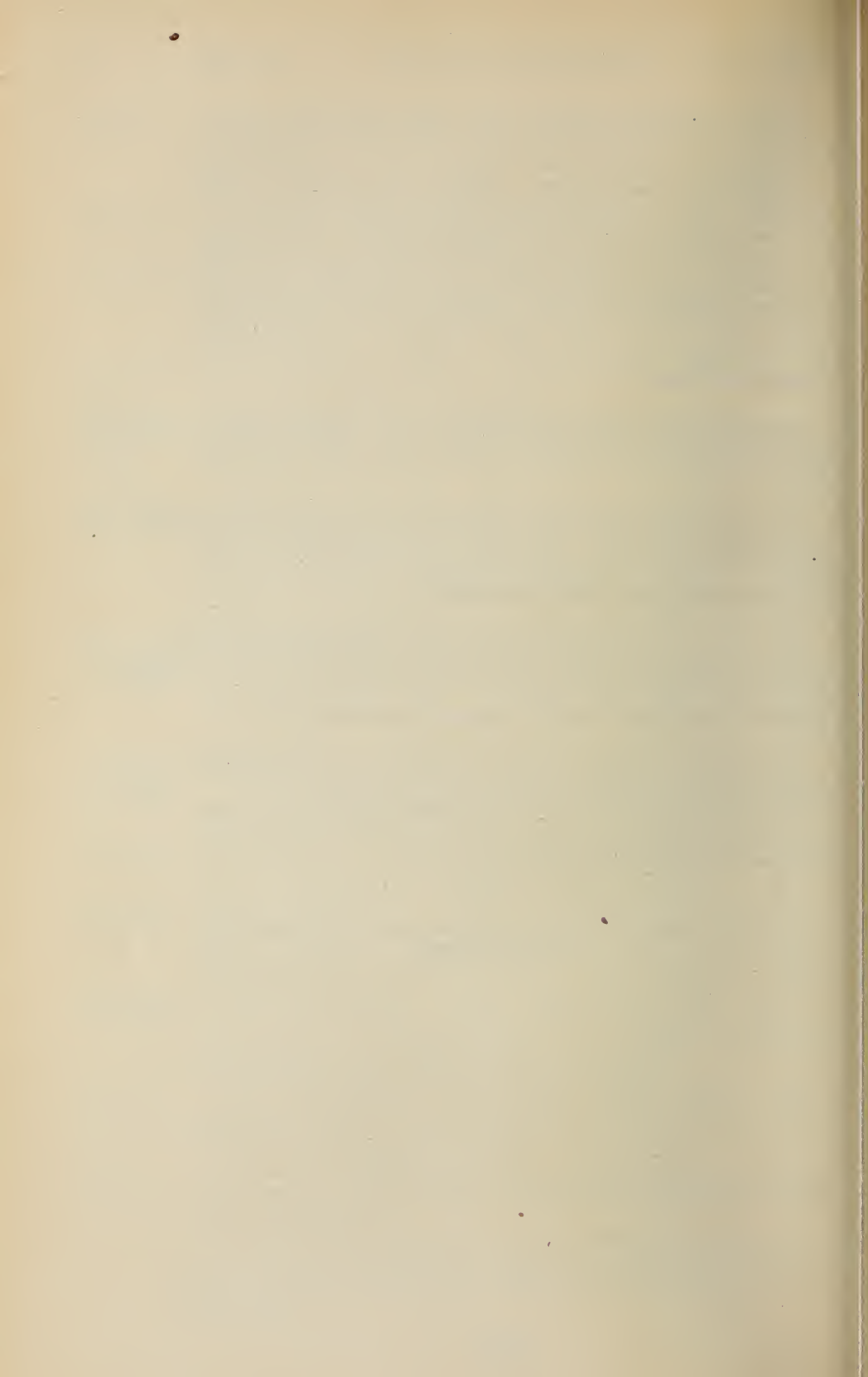
3. Section 12 of *The Naturalization Act* is hereby amended by striking out the words “in the North-west Territories and.” R.S.C., c. 113,  
s. 12 amended.

4. Section 18 of *The Naturalization Act* is hereby amended by adding thereto after the word “naturalization” in the third line thereof “except that residence in Canada for not less than three months shall be sufficient.” R.S.C., c. 113,  
s. 18 amended.

5. Form F in the schedule to *The Naturalization Act* is hereby amended by striking out therefrom the words “three (or five as the case may be) years,” in the sixth line, and substituting therefor the words “at least three months.” R.S.C., c. 113.  
Form F.  
amended.

6. Section 5 of chapter 23 of the statutes of 1902 is hereby amended by adding thereto the following as subsection 3:— 1902, c. 23,  
s. 5 amended.

“3. The fees payable for the preparation and transmission of returns made pursuant to this Act may, from time to time, be fixed by the Governor in Council.” Fees.





## 3 EDWARD VII.

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### CHAP. 39.

An Act to amend the Act respecting the Harbour of North Sydney in Nova Scotia.

[Assented to 24th October, 1903.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

1. Section 8 of chapter 30 of the statutes of 1879, intituled *An Act respecting the Harbour of North Sydney in Nova Scotia*,<sup>1879, c. 30, s. 8 amended.</sup> is amended by striking out the word “four” in the last line of the said section, and substituting therefor the word “five.”

2. Section 10 of the said Act is amended by inserting the words “after deducting five per cent for his remuneration”<sup>Section 10 amended</sup> after the word “shall” in the fourth line.

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## 3 EDWARD VII.

### CHAP. 40.

#### An Act to amend the North-west Territories Act.

[Assented to 24th October, 1903.]

**H**IS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

**1.** Section 42 of *The North-west Territories Act*, chapter 50 of the Revised Statutes of Canada, as that section is enacted by chapter 44 of the statutes of 1900, is repealed, and the following is substituted therefor :—

R.S.C., c. 50,  
new s. 42.

“**42.** The Supreme Court shall consist of a chief justice and not less than five puisne judges, who shall be appointed by the Governor in Council by letters patent under the Great Seal.”

Constitution  
of Supreme  
Court.

**2.** Except where a question has been reserved and stated for the opinion of the Supreme Court of the North-west Territories as a court of appeal under section 743 of *The Criminal Code*, 1892, the judge by or before whom the judgment, order or decision then in question was rendered or made, shall not sit as one of the judges composing the court unless his presence is necessary to compose a quorum.

Appeals.

**2.** The proviso added to section 50 of the said Act by section 4 of chapter 17 of the statutes of 1894 is repealed.

Section 50  
amended.

**3.** Notwithstanding anything in *The North-west Territories Act*, or any Act in amendment thereof, the Legislative Assembly may, by ordinance, repeal the provisions of sections 49, 51, 53, 55, 64, 88, 89 and 90 of the said North-west Territories Act as amended, and re-enact the said provisions or substitute other provisions in lieu thereof; but nothing in this section shall be construed as giving to the Legislative Assembly power to pass ordinances for the constitution, organization or maintenance of courts of criminal jurisdiction, or respecting procedure in criminal matters.

Power given  
to Legislative  
Assembly in  
certain  
matters.

In certain  
other matters.

4. Notwithstanding anything in *The North-west Territories Act*, or any Act in amendment thereof, the Legislative Assembly may, by ordinance, repeal the provisions of sections 7, 8, 9, 11 and 12 of chapter 19 of the statutes of 1888, and section 18 of chapter 17 of the statutes of 1894, as that section is enacted by section 9 of chapter 28 of the statutes of 1897, and re-enact the said provisions or substitute other provisions in lieu thereof.

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## 3 EDWARD VII.

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### CHAP. 41.

An Act to provide for advances to the Government of the North-west Territories.

[Assented to 24th October, 1903.]

**H**IS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** The Governor in Council may, in his discretion, from time to time, advance to the Government of the North-west Territories any sum required for local improvements in the North-west Territories, not exceeding in the whole the sum of two hundred and fifty thousand dollars. Advances for local improvements.

**2.** All sums so advanced to the Government of the North-west Territories shall be charged in an account to be known as "The North-west Territories Debt Account," and shall, in any financial arrangement that may be made in connection with the organization of a province or provinces in the said territories, be taken into consideration as a debt owing by the said territories to the Dominion of Canada. Account thereof.

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## 3 EDWARD VII.

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### CHAP. 42.

An Act to increase the representation of the North-west Territories in the Senate.

[Assented to 24th October, 1903.]

**H**IS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

1. Section 1 of chapter 3 of the statutes of 1887, intituled *An Act respecting the representation of the North-west Territories in the Senate of Canada*, is repealed, and the following is substituted therefor :—

“ 1. The North-west Territories shall be represented in the Senate of Canada by four members.”

1887, c. 3,  
new s. 1.  
Representa-  
tion in Senate.

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## 3 EDWARD VII.

### CHAP. 43.

#### An Act respecting Dominion Notes.

[Assented to 13th August, 1903.]

**H**IS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** The expression “specie” in this Act means coin current by law in Canada, at the rates and subject to the provisions of the law in that behalf, or bullion of equal value according to its weights and fineness. Interpretation.

**2.** Notes of the Dominion of Canada may be issued and outstanding at any time to any amount, and the notes issued and outstanding under the authority of this Act shall be known as “Dominion notes,” and shall be a legal tender in every part of Canada except at the offices at which they are redeemable. Issue of Dominion notes.

**3.** Notes so issued shall be of such denominational values as the Governor in Council determines, and shall be in such form, and signed by such persons and in such manner, by lithograph, printing or otherwise, as the Minister of Finance and Receiver General from time to time directs; and such notes shall be redeemable in specie on presentation at branch offices established or at banks with which arrangements are made for the redemption thereof as hereinafter provided. Denomination and form.

**4.** The Minister of Finance and Receiver General shall always hold as security for the redemption of Dominion notes issued and outstanding at any one time, up to and including thirty million dollars, an amount in gold, or in gold and securities of Canada, the principal or interest of such securities being guaranteed by the Government of the United Kingdom, equal to not less than twenty-five per cent of the amount of such notes so issued and outstanding, provided that the amount so held in gold shall be not less than fifteen per cent of the amount of such notes so issued and outstanding, and Amount held as security for redemption.

as security for the redemption of Dominion notes issued in excess of thirty million dollars an amount in gold equal to such excess.

Proceeds of notes ; expenses of issuing.

Loan may be raised if amount of security insufficient.

5. The proceeds of Dominion notes so issued shall form part of the Consolidated Revenue Fund of Canada, and all expenses incurred or required to be paid in connection with the engraving, printing or preparation of such notes, or the signing, issue or redemption thereof, shall be paid out of the said fund; and in case the amount held in accordance with the provisions of this Act as security for the redemption of Dominion notes is not sufficient to pay the Dominion notes presented for redemption, or in case the amount so held is reduced below the amount required by this Act to be held, the Governor in Council may raise, by way of loan, temporary or otherwise, such sums of money as are necessary to pay such notes or to provide the amount required to be held as security for the redemption of Dominion notes issued and outstanding.

Monthly statement by Minister.

6. The Minister of Finance and Receiver General shall publish monthly in *The Canada Gazette* a statement of the amount of Dominion notes outstanding on the last day of the preceding month, and of the gold and guaranteed debentures then held by him for securing the redemption thereof.

Offices or agencies for redemption.

7. The Governor in Council may establish branch offices of the Department of Finance at Montreal, Toronto, Halifax, St. John, N.B., Winnipeg, Charlottetown and Victoria, for the redemption of Dominion notes, or may make arrangements with a chartered bank at any of the said places for the redemption thereof; provided that any Assistant Receiver General appointed at any of the said places under the *Act respecting Government Savings Banks*, shall be an agent for the issue and redemption of such notes.

Redemption of notes of old Province of Canada.

8. Provincial notes issued under the Act of the late Province of Canada, passed in the session held in the twenty-ninth and thirtieth years of Her late Majesty's reign, chapter 10, shall be held to be notes of the Dominion of Canada, and shall be redeemable in specie on presentation at Montreal, Toronto, Halifax, or St. John, N.B., and at that one of the said places at which they are respectively made payable, and shall be (as provided by the last mentioned Act) a legal tender except at the offices at which they are respectively made payable.

R.S.C., c. 31 repealed.

9. Chapter 31 of the Revised Statutes of Canada, intituled *An Act respecting Dominion Notes*, and all Acts in amendment thereof, are repealed.





## 3 EDWARD VII.

### CHAP. 44.

#### An Act to amend the Act relating to Ocean Steamship Subsidies.

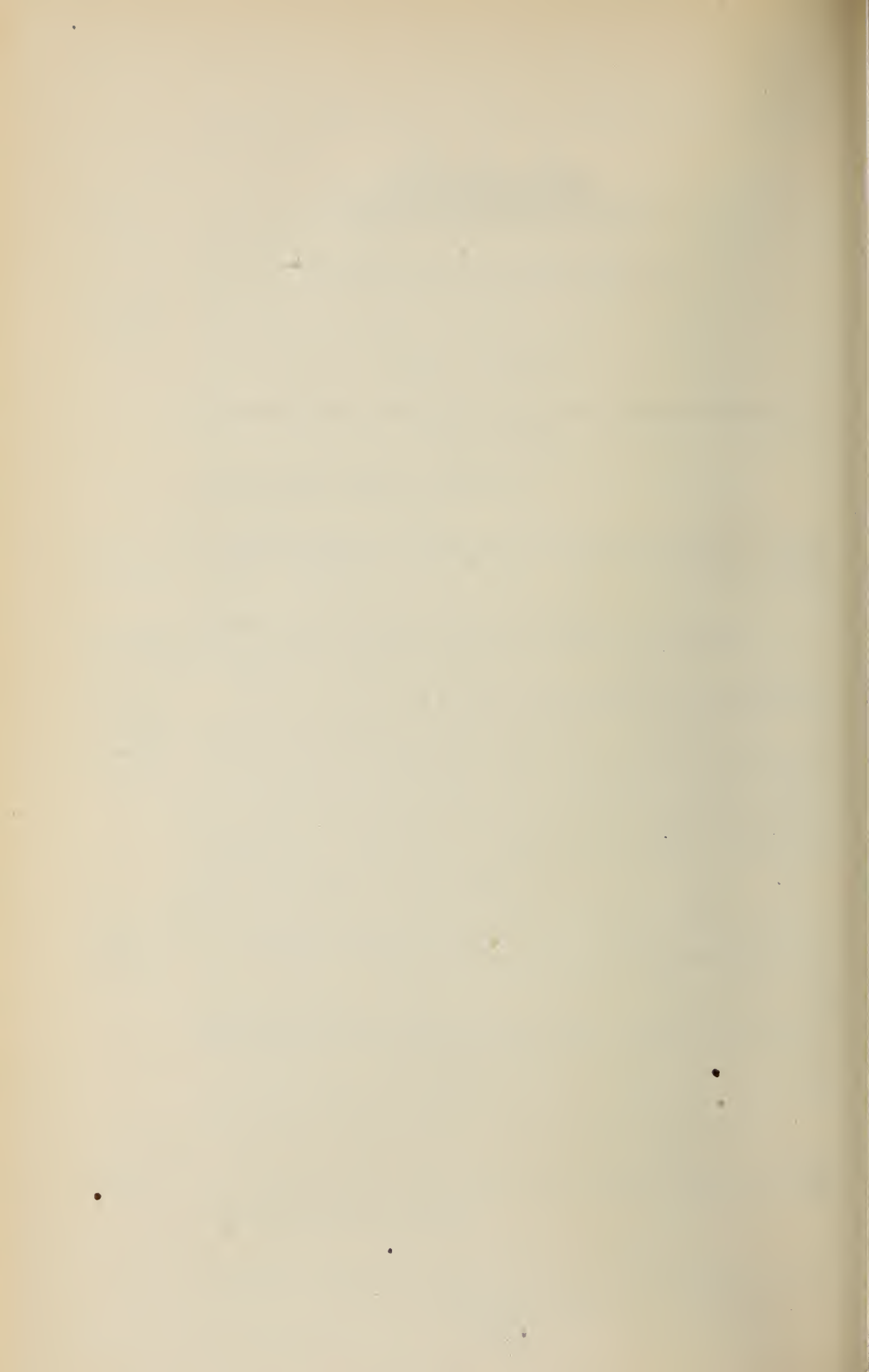
[Assented to 24th October, 1903.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

1. Section 4 of chapter 2 of the statutes of 1889, intituled *An Act relating to Ocean Steamship Subsidies*, as enacted by section 1 of chapter 6 of the statutes of 1901, is repealed and the following is substituted therefor :—

“4. The Governor in Council may enter into a contract for a term not exceeding ten years with any individual or company, for the performance of a steamship service between a port or ports in Canada and a French port or ports, on such terms and conditions as the Governor in Council deems expedient, and may grant therefor a subsidy not exceeding one hundred and thirty-three thousand three hundred and thirty-three dollars and thirty-three cents a year, based upon a minimum service of eighteen round voyages a year and a subsidy therefor not exceeding one hundred thousand dollars, and so in proportion for a more frequent service.”

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## 3 EDWARD VII.

### CHAP. 45.

An Act to amend the Act of 1899 respecting the City of Ottawa.

[Assented to 13th August, 1903.]

**H**IS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

1. The period during which the sum of sixty thousand dollars annually, referred to in section 1 of chapter 10 of the statutes of 1899, intituled *An Act respecting the City of Ottawa*, may be paid, shall be a period not exceeding twenty years from the first day of July, one thousand eight hundred and ninety-nine, instead of a period not exceeding ten years from the said day, as provided in the said section. 1899, c. 10, s. 1 amended. Grant extended to 1919.

2. The Commission provided for by the said Act may borrow from time to time, on debentures of the Commission, bearing interest at a rate not exceeding four per cent per annum,—which debentures the Commission is hereby authorized to issue,—such sum or sums of money, not exceeding in the whole two hundred and fifty thousand dollars, as are required to enable the Commission to purchase land or to carry into effect any scheme of improvements and undertakings requiring a larger outlay than is available out of the annual income of the Commission, or for both purposes : Provided always that no money shall be borrowed by the Commission except with the previous consent of the Governor in Council. Borrowing power of Commission. Consent of Governor in Council.

3. No debentures shall be issued by the Commission for a period extending beyond the first day of July, one thousand nine hundred and nineteen ; and the debentures issued under the authority of this Act shall be paid and redeemed by the Commission in equal annual instalments, beginning at the expiration of one year from the date of the issue thereof, so that the total amount of the debentures so issued shall be fully paid and redeemed on or before the said first day of July, one thousand nine hundred and nineteen. Time limit of debentures issued by Commission. Redemption.

First charge  
on income of  
Commission.

Year defined.

4. The principal of the debentures issued under this Act, and the interest thereon, shall be a first charge and lien upon the income of the Commission from whatever source derived, and the Commission shall each year set apart and appropriate such amount of its income as is required to pay and discharge the principal and interest of such debentures as fall due and become payable during that year. The word "year" in this section means the period beginning on the first day of July in one year, and ending on the thirtieth day of June in the next year.

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## 3 EDWARD VII.

### CHAP. 46.

#### An Act to amend the Patent Act.

[Assented to 13th August, 1903.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

1. The Deputy Commissioner of Patents may do any act or thing, whether judicial or ministerial, which the Commissioner of Patents is authorized or empowered to do by any provision of *The Patent Act*, (hereinafter referred to as the said Act,) or by any Act in amendment thereof; and, in the absence of the Deputy Commissioner any person performing the duties of the Deputy Minister of Agriculture pursuant to section 14 of *The Civil Service Act* may, as Acting Deputy Commissioner, do any such act or thing. Powers of Deputy Commissioner of Patents. R.S.C., c. 17.

2. The section substituted for section 8 of the said Act, by section 1 of chapter 24 of the statutes of 1892, is amended by striking out all the words after the word "inventor" in the thirteenth line thereof. R.S.C., c. 61, s. 8 amended.

2. Notwithstanding anything contained in the said section 8, or in the said substituted section, no Canadian patent heretofore issued, except as provided for in section 16 hereof, shall be deemed to have expired before the end of the term for which it was granted merely because of the expiry of a foreign patent for the same invention. Expiry of patents.

3. Section 37 of the said Act, as heretofore amended, is repealed, and the provisions of sections 4, 5, 6, 7 and 8 of this Act are substituted therefor. Section 37 repealed.

4. Every patent granted under the said Act shall, unless otherwise ordered by the Commissioner as hereinafter provided, be subject, and expressed to be subject, to the following conditions :— Patent conditional.

(a.) Such patent and all the rights and privileges thereby granted shall cease and determine, and the patent shall be null Manufacture in Canada within two years.

null and void, at the end of two years from the date thereof, unless the patentee or his legal representatives, within that period or an authorized extension thereof, commence, and after such commencement continuously carry on in Canada, the construction or manufacture of the invention patented, in such a manner that any person desiring to use it may obtain it, or cause it to be made for him at a reasonable price, at some manufactory or establishment for making or constructing it in Canada;

Importation prohibited

(b.) If, after the expiration of twelve months from the granting of a patent, or an authorized extension of such period, the patentee or patentees, or any of them, or his or their or any of their legal representatives, for the whole or a part of his or their or any of their interest in the patent, imports or import or causes or cause to be imported into Canada, the invention for which the patent is granted, such patent shall be void as to the interest of the person or persons so importing or causing to be imported.

Term for manufacture in Canada may be extended.

5. Whenever a patentee is unable to commence or carry on the construction or manufacture of his invention within the two years limited by paragraph (a) of section 4 of this Act, the Commissioner may, at any time not more than three months before the expiration of that term, grant to the patentee or his legal representatives an extension of the term of two years on his proving to the satisfaction of the Commissioner that his failure to commence or carry on such construction or manufacture is due to reasons beyond his control.

Term for importation may be extended.

6. The Commissioner may grant to the patentee or his legal representatives, for the whole or any part of the patent, an extension for a further term not exceeding one year, beyond the twelve months limited by section 4 of this Act, during which he may import or cause to be imported into Canada the invention for which the patent is granted, if he or they show cause, satisfactory to the Commissioner, to warrant the granting of such extension; but no extension shall be granted unless application is made to the Commissioner at some time within three months before the expiry of the twelve months aforesaid.

Proviso.

Conditions which may be substituted for condition as to manufacture in Canada.

7. On the application of the applicant for a patent, previous to the issue thereof, or on the application within six months after the issue of the patent of the patentee or his legal representatives, or on the application within six months hereafter of the owner of any patent heretofore issued and now in force or by this Act revived, the Commissioner, having regard to the nature of the invention, may order that such patent, instead of being subject to the condition set forth in paragraph (a) of section 4 of this Act, shall be subject to the following conditions, that is to say:—

License to another to manufacture

(a.) Any person, at any time while the patent continues in force, may apply to the Commissioner by petition for a license

to make, construct, use and sell the patented invention, and the Commissioner shall, subject to general rules to be made for carrying out this section, hear the person applying and the owner of the patent, and if he is satisfied that the reasonable requirements of the public in reference to the invention have not been satisfied by reason of the neglect or refusal of the patentee or his legal representatives to make, construct, use or sell the invention, or to grant licenses to others on reasonable terms to make, construct, use or sell the same, may make an order under his hand and the seal of the Patent Office requiring the owner of the patent to grant a license to the person applying therefor, in such form, and upon such terms as to the duration of the license, the amount of the royalties, security for payment, and otherwise, as the Commissioner, having regard to the nature of the invention and the circumstances of the case, deems just ;

and sell, in  
case of  
negligence of  
patentee.

Terms of  
license.

(b.) The Commissioner may, if he thinks fit, and shall on the request of either of the parties to the proceedings, call in the aid of an assessor, specially qualified, and hear the case wholly or partially with his assistance ;

Assessors.

(c.) The existence of one or more licenses shall not be a bar to an order by the Commissioner for, or to the granting of, a license on any application, under this section ; and

More than one  
license may be  
granted.

(d.) The patent and all rights and privileges thereby granted shall cease and determine, and the patent shall be null and void, if the Commissioner makes an order requiring the owner of the patent to grant any license, and the owner of the patent refuses or neglects to comply with such order within three calendar months next after a copy of it is addressed to him or to his duly authorized agent.

Forfeiture of  
patent for  
refusal to  
grant license  
ordered by  
Commission-  
er.

8. Any question which arises as to whether a patent, or any interest therein, has or has not become void under the provisions of sections 4, 5, 6 and 7 of this Act, or any of them, may be adjudicated upon by the Exchequer Court of Canada, which court shall have jurisdiction to decide any such question upon information in the name of the Attorney General of Canada, or at the suit of any person interested ; but this section shall not be held to take away or affect the jurisdiction which any court other than the Exchequer Court of Canada possesses.

References  
to Exchequer  
Court.

Jurisdiction  
of other  
courts.

9. The validity of any extension heretofore granted or assumed to be granted under section 37 of the said Act, of the period of two years limited by that section, or by that section as heretofore amended, for the commencement of the construction or manufacture of a patented invention, or of the period of twelve months thereby limited for the importation of the patented invention, shall not be open to impeachment, nor shall the patent for any invention in respect of which any such extension has been granted be deemed to have lapsed or expired, because—

Validity of  
certain  
extensions  
heretofore  
granted.



(a) such extension was so granted or assumed to be granted by the Deputy Commissioner of Patents, or, as Acting Deputy Commissioner of Patents, by a person performing the duties of Deputy Minister of Agriculture under the provisions of *The Civil Service Act* in that behalf, instead of by the Commissioner of Patents; or because

(b.) in the case of the invention to which such extension relates, there had been granted or assumed to be granted a previous extension or previous extensions of the period of two years or the period of twelve months, as the case may be, so limited.

Conditional  
validity of  
certain  
patents  
heretofore  
granted.

**10.** The validity of any patent heretofore granted shall not be impeached, nor shall such patent be deemed to have lapsed or expired, by reason of the failure of the patentee to construct or manufacture the patented invention, provided the patentee within the period of two years from the date of the patent allowed for such construction or manufacture, or within an authorized extension of that period, became, and at all times thereafter continued to be, ready either to furnish the patented invention himself or to license the right of using it, on reasonable terms, to any person desiring to use it.

2. In the case of any patent the validity of which is protected from impeachment by subsection 1 of this section, or which by reason of the provisions of that subsection is to be deemed not to have lapsed or expired, it shall be incumbent upon the patentee, or his legal representatives either (a.) within six months from the date of the passing of this Act to commence, and after such commencement to continuously carry on in Canada, the construction or manufacture of the patented invention in such manner that any person desiring to use it may obtain it, or cause it to be made for him, at a reasonable price, at some manufactory or establishment for making or constructing it in Canada, or (b.) within such six months to apply for and thereupon obtain an order of the Commissioner under section 7 of this Act making the patent subject to the conditions set forth in that section; and upon his or their failure so to do, the patent and all the rights and privileges thereby granted shall cease and determine, and the patent shall be null and void.

Section 39  
amended.

**11.** The section substituted for section 39 of the said Act by section 7 of chapter 24 of the statutes of 1892, is amended by striking out lines eighteen to twenty-three of the said section, both lines included, and substituting the following therefor: "On petition to re-issue a patent after surrender, in addition to the fees on the original patent which shall notwithstanding such surrender continue to be payable as aforesaid, for every unexpired year of the duration of the original patent the fee shall be \$4.00."



**12.** Section 47 of the said Act is amended by adding after the word "caveats" in the second line thereof, the following words: "and except those filed in connection with applications for patents which are still pending." Section 47 amended.

**13.** Notwithstanding anything in the said Act contained, in the case of any application to the Commissioner made within the time prescribed by the said Act or by this Act, and pending on the ninth day of April, one thousand nine hundred and three, or of any such application thereafter made within such time, for an extension of time to construct or manufacture a patented invention or to import it into Canada, the Commissioner may, until the first day of January, one thousand nine hundred and four, grant such extension after the time so prescribed, and any extension so granted shall have the same effect as if granted within the time so prescribed; and no patent, respecting which such application has been or is hereafter made according to the provisions of this section, shall be deemed at any time to have expired by reason of the failure of the patentee to construct or manufacture the patented invention before said lastly mentioned date. Delay for granting certain extensions.

**14.** In the case of any patent which has heretofore become void or the validity of which might heretofore have been impeached, and which is revived or protected from impeachment by any provision of this Act, or which by reason of any such provision is to be deemed not to have elapsed or expired, any person who has, between the time when such patent became void or when the ground for such impeachment arose, and the time of the passing of this Act, commenced to manufacture, use or sell in Canada the invention covered by such patent, may continue to manufacture, use or sell it in as full and ample a measure as if this Act had not been passed; and in case any person has contracted with the owner of the patent for the right to manufacture, use or sell such invention in Canada, such contract shall be deemed to have remained in full force and effect notwithstanding that the patent has become void as aforesaid, unless such person who has so contracted with such owner can show that in the meantime, by reason of or on the faith of such invalidity or lapsing he has materially altered his position with respect to such invention, and that the revival of such contract would cause him damage. Rights of third persons saved.

**15.** Whereas the models and specimens of compositions of matter and of ingredients thereof, filed in connection with applications for patents of invention are of no value after they have served their immediate purpose, and the cost of storing and preserving them is very considerable, therefore it is hereby enacted that the Commissioner may destroy, sell or otherwise dispose of all such models or specimens in such manner as he deems best in the public interest, and that any Disposal of models and specimens.

money arising from the sale or disposal of such models or specimens shall be dealt with as is provided by law with respect to public moneys.

Rights under  
final judgment.

145. Nothing in this Act contained shall affect any rights acquired by the parties to a suit in any of His Majesty's courts by the final judgment rendered therein.

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## 3 EDWARD VII.

### CHAP. 47.

#### An Act respecting Penny Banks.

[Assented to 24th October, 1903.]

**H**IS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

#### SHORT TITLE.

1. This Act may be cited as *The Penny Bank Act, 1903.* Short title.

#### INTERPRETATION.

2. In this Act, unless the context otherwise requires,—
- (a.) The expression “bank” means a corporation constituted by letters patent issued under this Act ; Interpretation.  
“Bank.”
- (b.) The expression “the board” means the board of directors of such corporation ; “The board.”
- (c.) The expression “the Treasury Board” means the board constituted by section 9 of chapter 28 of the Revised Statutes of Canada and amendments thereof. “The Treasury Board.”

#### INCORPORATION AND ORGANIZATION.

3. The Governor in Council may by letters patent grant a charter to any number of persons, not less than five, who petition therefor, constituting such persons a body corporate under this Act, with the powers and subject to the restrictions and conditions hereinafter declared ; but no such charter shall be granted by the Governor in Council unless the granting thereof has been first recommended by the Minister of Finance and Receiver General. Incorporation by letters patent.  
Recommendation of Minister of Finance.

4. The Minister of Finance and Receiver General may, with the approval of the Treasury Board, from time to time, make rules and regulations respecting the forms and proceedings and all other matters requisite for incorporating banks under this Act, and for carrying out the other provisions of this Act, and may with such approval alter, repeal, annul or change any or all of such rules or regulations. Regulations by Minister and Treasury Board.

Regulations  
directory  
only.

Letters patent  
not voidable  
for irregularity.

Notice of  
issuing of  
letters patent.

Incorporation.

Name of  
bank.

Provisional  
directors.

Chief office.

Election of  
directors.

Commencement  
of  
business.

5. Such rules and regulations shall, except as to the requirements specified in section 3 of this Act, be deemed to be directory only, and no letters patent issued under authority of an order of the Governor in Council on the recommendation of the Minister of Finance and Receiver General shall be held to be void or voidable on account of any irregularity or otherwise in respect of any matter, notice, or proceeding preliminary to the making of such recommendation by the Minister of Finance and Receiver General or the passing of such order of the Governor in Council.

6. Notice of the granting of letters patent under this Act shall be forthwith given by the Secretary of State in *The Canada Gazette*; and from the date of such letters patent the persons thereby constituted a corporation, and such other persons as become members of the corporation as provided by this Act, shall be a corporation by the name mentioned in the letters patent, and the corporation shall have and may exercise the powers conferred upon it by this Act subject to the provisions hereof.

7. The letters patent shall declare—

(a.) The name of the bank, which name shall include the words "Penny Bank," as "The Penny Bank," or "The Penny Bank of \_\_\_\_\_," but such name shall not be the name of an existing corporation, or a name liable to be confounded with the name of an existing corporation;

(b.) The names of the provisional directors of the bank, and the persons so named, being not less than five in number, shall hold office until directors are elected by the members of the bank as hereinafter provided;

(c.) The place, being a place in Canada, where the chief office of the bank is to be situate.

8. So soon as the guarantee fund has been established as hereinafter provided, the provisional directors shall call a meeting of the members of the bank to elect directors; and the directors so elected, being not less than five in number, shall constitute the board of directors, and shall take the place of the provisional directors, provided that the provisional directors are eligible for election on the board.

9. The bank shall not begin business until after the guarantee fund has been established, and until after directors have been elected as provided for in the next preceding section, nor until a certificate has been issued under direction of the Treasury Board permitting the bank to carry on business under this Act, and no such certificate shall be issued except within one year from the date of the letters patent incorporating the bank, and except on proof by affidavit or otherwise to the satisfaction of the Treasury Board that all the requirements of this Act have been complied with; and in the event of the



bank not obtaining a certificate from the Treasury Board within the time above limited the letters patent of incorporation and all rights, powers and privileges of the bank conferred thereby, or by this Act, shall cease and determine and be of no further force or effect.

Forfeiture of powers if certificate is not obtained.

#### INTERNAL REGULATIONS.

**10.** The affairs of the bank shall be managed and administered by and under the authority of the board, and, subject to the provisions of the by-laws, directors shall hold office until their successors are elected; provided that if the seat of a director elected by the members as hereinafter provided becomes vacant between annual meetings such vacancy may be filled by the board, and if the seat of a director elected by a workers' association as hereinafter provided becomes so vacant such vacancy shall be filled by the workers' association.

Board of directors.

**11.** A general meeting of the members of the bank shall be held during each calendar year for the election of directors, and for the transaction of all or any business which the members in general meeting may lawfully transact. Such general meeting shall be held on such day and at such time and place as are prescribed by by-law in that behalf, or in default of such by-law on such day and at such time and place as the board names. Special general meetings of the members may be called at any time by the board as provided for in the by-laws of the bank for the transaction of such business as is set forth in the notice calling such meeting.

Annual meeting of members of bank.

Time and place.

Notice.

**12.** In default of other provisions by by-law, notices of all meetings under this Act shall be mailed to each member of the bank at least two weeks previous to the day appointed for the holding of such meeting.

Length of notice.

**13.** The board may, from time to time, make by-laws, not contrary to law, relating to the conduct of the affairs of the bank, including the following: The number of directors from time to time, such number to be not less than five, their terms of service and their qualifications; the appointment, functions, duties and removal of all officers, agents and servants of the bank; the security to be given by such officers, agents and servants, and their remuneration; the day, time and place for holding the annual meeting of the members of the bank; the calling of meetings, regular and special, of the board and of the members of the bank, and the notice to be given of any such meeting; the quorum at any such meeting; the requirements as to proxies; the procedure in all things at any such meeting; the making of calls on subscribers to the guarantee fund; the organization and constitution of one or more associations of workers as hereinafter mentioned; the receipt and repayment of deposits or interest thereon, and the conduct in all other particulars of the affairs of the bank.

By-laws.

Confirmation  
of by-laws.

**14.** Every by-law made by the board, and every repeal, amendment or re-enactment thereof, unless in the meantime confirmed at a special general meeting of the members of the bank duly called for that purpose, shall only have force until the next annual meeting of the members of the bank, and in default of confirmation thereat shall at and from that time cease to have force, and if any by-law or part thereof be by resolution expressly disaffirmed, no new by-law of the same or like effect to that disaffirmed shall have any force until confirmed at a special general meeting or at an annual meeting of the members of the bank; provided, however, that the members of the bank may, either at a special general meeting, or at the annual meeting, repeal, amend, vary or otherwise deal with any by-law which has been passed by the directors; but no act done or right acquired under any by-law shall be prejudicially affected by any such want of confirmation, disaffirmance, repeal, amendment, variation or other dealing.

Directors and  
members not  
to receive  
remuneration  
or profits.

**15.** The directors or the members of the voluntary workers' associations shall not be entitled to receive any remuneration for their services as such directors or members, and no profits shall at any time be divided among or paid to members of the bank.

#### MEMBERS AND VOLUNTARY WORKERS.

Members.

**16.** The members of the bank shall consist of the persons who subscribe or pay to the guarantee fund hereinafter mentioned the sum of at least one hundred dollars, and at all meetings of such members each member shall have one vote for each one hundred dollars of his subscription or payment to the said fund, and members may vote by proxy, and in default of regulation otherwise by by-law any member of the bank shall be eligible to be a director of the bank. A subscriber whose liability for this unpaid subscription ceases and determines as hereinafter provided, shall, from the time such liability so ceases and determines, cease to be a member of the bank.

Liability  
of members.

**17.** The board may, from time to time, make calls upon the members of the bank on account of their respective subscriptions to the guarantee fund for such amount as may be required for the payment of any losses which may arise from time to time, and of any expenses and disbursements for which the bank may be liable, which losses, expenses and disbursements it may not otherwise be able to pay; and upon such calls being made the members shall respectively be liable to pay, and shall respectively pay, the amounts thereof to the bank, but not exceeding in all the respective amounts of their respective subscriptions to the guarantee fund remaining unpaid.

**18.** The liability of a member of the bank for his unpaid subscription to the guarantee fund shall, subject to the provisions of the next following section, cease and determine—

Cessation  
of liability.

(a.) upon his death;

(b.) upon his being declared by competent authority to be a lunatic or of unsound mind;

(c.) upon his procuring another subscriber to the guarantee fund (to be approved and accepted by the board) for an amount equal to or greater than the amount for which he himself is liable as subscriber to the said fund.

**19.** Notwithstanding the provisions of the next preceding section, the liability of a member of the bank shall not cease and determine as therein provided, if within the period of sixty days from the time when under such section such liability would determine, proceedings are taken for the winding up of the bank; but in such case the liability of such member, or of his legal representatives, shall continue, and he or they shall be liable to contribute, and shall contribute, to the assets of the bank such amount, not exceeding the amount of such unpaid subscription, as may be required to provide for payment of the debts and liabilities of the bank to depositors and others, and for the payment of the costs, charges and expenses of winding up the bank, and for the adjustment of the rights of the contributories amongst themselves; and the banks incorporated under this Act are declared to be savings banks within the meaning of *The Winding Up Act*.

Liability  
in case of  
winding up  
of bank.

R.S.C., c. 129.

**20.** The board may, from time to time, by by-law, constitute and organize one or more associations of voluntary workers in connection with the carrying on and administration of the business of the bank, and may define the powers and duties of such associations, and prescribe the number of directors to be elected by such associations, and the manner of election, and the filling of vacancies, and such other details in connection with such associations, and the organization and working thereof, as may be deemed expedient; and when and as soon as such powers and duties shall have been prescribed the said associations shall be entitled to and have the right and authority to elect such number of directors as may be prescribed.

Voluntary  
workers.

#### POWERS AND RESTRICTIONS.

**21.** The bank may receive deposits of money on such terms as the board or the by-laws of the bank prescribe, and such deposits may be received from any person of whatever age, status or condition of life, and whether such person is qualified by law to enter into contracts or not; but no deposit shall be received which would make the amount at the credit of the account in respect of which the deposit is offered exceed three hundred dollars, and not more than one account shall be kept with the same depositor, and in no case shall interest be paid

Bank may  
receive  
deposits.

Amount  
limited.



Rate of  
interest  
payable.

or allowed to depositors in the bank in excess of the current rate paid to depositors in the government savings banks or in the post office savings banks.

Certain  
payments in  
good faith  
valid.

**22.** Any payment of the whole or part of any deposit or of any interest thereon, not exceeding one hundred dollars, made in good faith and in accordance with the by-laws of the bank, shall discharge the bank from any claim by any person whomsoever in respect of the deposit or interest so paid, notwithstanding that the person making the deposit may have died, or become insane, or become otherwise incapacitated, and that there is or is not a person qualified to represent such person, or that such person cannot be found, or that some person other than the person to whom such payment is made may claim to be or be entitled to such deposit or interest; provided always that upon the book or other paper given to the depositor representing the deposit, or in or on which the deposit is entered, there shall be a printed copy of this section.

Proviso.

Bank may  
hold five per  
cent of  
deposits.

**23.** The bank may of the moneys received on deposit by it hold for the purpose of paying withdrawals such amount as the directors determine, not exceeding the sum of five per cent of the total amount of deposits in the bank; and all moneys received on deposit and on hand at any time in excess of such amount shall be deposited by the bank in a government savings bank or in a post office savings bank to the credit of the bank. Interest on the amounts from time to time at the credit of the bank in the said government savings bank or post office savings bank shall be allowed and credited half yearly to the account of the bank at a rate to be from time to time fixed and determined by the Minister of Finance and Receiver General, such rate not to exceed one-half of one per cent in advance of the rate then payable to depositors in the said government savings bank or post office savings bank.

Balance to be  
deposited with  
Government.

Interest  
payable by  
Government.

Withdrawal  
of moneys  
by board.

**24.** The board may withdraw from the account of the bank in the government savings bank, or in the post office savings bank, and apply towards payment of the working expenses or for the purpose of augmenting the guarantee fund of the bank such portion of the interest credited to the account of the bank, as in the last preceding section provided, as represents the excess of the interest so credited over the interest paid or allowed by the bank to depositors therein; but, except as aforesaid the moneys so at credit of the bank in the government savings bank or in the post office savings bank shall be withdrawn by the bank only for the purpose of the payment of withdrawals by depositors in the bank of amounts deposited by them, and interest thereon, and shall be used and applied by the bank only for such purpose.

No powers  
as to notes,  
loans, real

**25.** The bank shall not be deemed a bank within the meaning of *The Bank Act*. It shall not issue any bank note,



or note intended to circulate as money, or as a substitute for money. It shall not deal in, discount, or lend money or make advances upon the security of bills of exchange or promissory notes, and, except as hereinafter provided, it shall not acquire any real estate, nor shall it invest, lend, or dispose of any moneys received by it, nor shall it engage or be engaged in any trade or business, except as specially provided in this Act.

estate and trading.

**26.** The bank may acquire the assets and assume the liabilities of any existing savings association for benevolent purposes and may take up and carry on the work of such association, and the corporation or persons holding the deposits or assets thereof may transfer and hand over the same to the bank in pursuance of any agreement which may be entered into respecting the acquisition thereof; and upon such transfer being made the transferrers shall, to the extent of the assets and deposits so transferred, be discharged from all liability in respect of the said deposits and assets, and such liability shall thereafter be assumed by the bank.

Assumption of work of existing association.

**2.** The bank shall, with as little delay as possible, but within one year after such transfer as aforesaid takes effect, convert into cash and deposit in a government savings bank or in a post office savings bank in its own name so much of the said assets as shall be equal to the amount of deposits in the association so acquired and interest thereon, and the remaining portion of such assets shall be appropriated towards the working expenses of the bank, or shall become a part of the guarantee fund of the bank, as the directors may determine, or as may be specified in the agreement of transfer; but if any portion of such assets becoming a part of the guarantee fund be invested in any security not authorized by this Act for investments of the guarantee fund such portion shall as quickly as possible be converted into cash and invested as prescribed by this Act.

Disposal of assets of such association.

**3.** Until the portion of such assets which consists of securities is converted into cash, such securities shall be deposited with the Minister of Finance and Receiver General pending the realization thereof into cash as aforesaid; provided, however, that the said Minister shall not incur any liability or responsibility in respect thereof, or in connection with any sale thereof.

Securities to be deposited with Minister of Finance.

#### GUARANTEE FUND.

**27.** A fund, in this Act referred to as "the guarantee fund," shall be established and maintained by the bank for the purpose of securing the repayment of the deposits made in the bank and interest thereon, and the payment of all other debts and liabilities of the bank incurred in the management of the business thereof, in the event of the funds in the hands of the board for the purpose of paying such deposits, interest, and other debts and liabilities, being insufficient to pay the same, or in the event of the bank being wound up.

Guarantee fund to be maintained by bank.

What moneys,  
etc., shall  
form fund.

**28.** The said fund shall consist of—

(a.) all moneys and securities received by or paid to the bank, other than deposits and interest thereon, and other than moneys specifically appropriated by this Act, or by the person from whom they are received, for the working expenses of the bank or for any other purpose in connection with the bank other than the guarantee fund;

(b.) securities and investments referred to in section 29 of this Act;

(c.) the unpaid amounts of all subscriptions to the said fund under an agreement of guarantee in the form in the schedule to this Act, or an agreement to the like effect;

Bank may  
accept gifts.

And the bank is hereby authorized and empowered to accept and receive all bequests and gifts to the said fund, and all bequests and gifts for the working expenses of the bank and for any other object or purpose in connection with the bank.

Investment  
of moneys  
of fund.

**29.** The bank may invest the moneys of the guarantee fund in, or lend such moneys upon, the following securities and investments, that is to say:—

In  
government  
securities.

(a.) Annuities, bonds, debentures, stocks or other securities of the government of the Dominion of Canada, or of any of the provinces of Canada;

In municipal  
debentures.

(b.) Bonds or debentures of any municipal corporation of any city or town in Canada having, according to the then last preceding government official census, a population exceeding ten thousand inhabitants, or of the municipal corporation of any county or township in any province of Canada having, according to such census, a population of over twenty thousand inhabitants;

In shares  
of trust  
companies

(c.) Shares in the capital stock of any incorporated trust company doing business in Canada having, according to its then last preceding annual statement submitted to its shareholders, a reserve fund or rest amounting to at least twenty per cent of its capital and having its stock marketable above par;

In debentures  
of other  
companies.

(d.) The bonds or debentures secured by mortgage of any telegraph company, telephone company, electric lighting company, gas company, hydraulic or electric power company, electric street railway company, or electric or steam railway company, incorporated under the laws of the Dominion of Canada, or of any province thereof, or of the late province of Canada, or of Upper Canada or Lower Canada, or of the provinces of New Brunswick, Nova Scotia, British Columbia or Prince Edward Island before confederation, or of the United Kingdom, or of the United States, or any state thereof; provided that the gross income of such company, according to its then last preceding annual statement submitted to its shareholders, is at least five hundred thousand dollars per annum, and provided also that such company has paid regular dividends upon its ordinary or its preferred stock for the then preceding two years;

(e.) Any securities upon which trustees are by the laws of the province in which the head office of the bank is situate authorized to invest trust moneys; In securities approved for trustees.

(f.) Such freehold or leasehold real estate, movable and immovable property, as is required for the actual use and occupation of the bank and for the management of its business, and the bank may sell and dispose thereof. In property required for use of bank.

**30.** The guarantee fund shall be deemed to be established and to be maintained within the meaning of section 27 of this Act when and so long as it amounts to the sum of at least ten thousand dollars in any or all of the following:— Amount of fund.

(a.) Cash;

(b.) Securities authorized by section 29 of this Act, taken at their market value, other than securities enumerated in clause (f) of the said section 29;

(c.) Unpaid subscriptions, provided that the payment, when required, of such amount thereof as will make, with cash and securities as above provided, the guarantee fund amount to not less than ten thousand dollars, is secured and guaranteed by the bond of a company authorized to transact in Canada the business of a guarantee company and authorized to give such bond.

**31.** Should the bank fail for six consecutive months to maintain such fund within the meaning of section 27 of this Act, the bank shall cease to receive deposits and shall be wound up; provided that the Treasury Board may, on the application of the bank made before the expiration of that period, grant an extension thereof for a further period not exceeding six months. Bank failing to maintain fund, to be wound up unless time extended by Treasury Board.

**32.** The moneys received on account or in respect of the guarantee fund, or arising by way of interest from investment thereof, and all real estate or other property held by the bank and the proceeds thereof, shall be and remain the property of the bank and may, subject to the provisions of this Act in regard thereto being fully observed and complied with, be disposed of and dealt with by the bank as the board determines. Disposal of guarantee fund and properties of bank.

#### STATEMENTS.

**33.** The bank shall transmit to the Minister of Finance and Receiver General statements showing the condition and business of the bank on the last juridical day in the months of June and December in each year, which statements shall be verified by the oath of the president, or of one of the vice-presidents of the bank, or of the chairman of the board, and of the manager or other chief officer of the bank. Semi-annual statements to be made to the Minister of Finance.

2. To every such statement shall be annexed a certificate from a chartered accountant that he has examined and audited the books of the bank and that he finds that such statement is a true statement of the affairs of the bank at the date named therein. To be certified by chartered accountant.



What  
statements  
shall show.

**34.** Such statements shall show the amount due depositors in the bank, the amount of the guarantee fund and the nature of the investments thereof, the unpaid subscriptions and the amount thereof secured by a bond of a guarantee company, distinguishing the class of securities and the amount of each class, and all other assets and liabilities of the bank, and any other information as to the nature and extent of the business of the bank that the Minister of Finance and Receiver General requires, and in such detail as he from time to time requires; provided always that the bank shall in no case be bound to disclose the name or personal affairs of any person having dealings with the bank.

Special return  
may be called  
for by  
Minister.

**35.** The Minister of Finance and Receiver General may call for a special return from the bank in such form as he may determine at any time when in his judgment it is necessary or expedient.

#### ACT NOT TO APPLY.

R.S.C., c. 118,  
not to apply.

**36.** *The Companies Clauses Act* shall not apply to the bank.

#### OFFENCES AND PENALTIES.

Punishment  
of officer  
wrongfully  
disposing of  
moneys of  
bank.

**37.** Every one is guilty of an indictable offence, and liable to imprisonment for a term not exceeding two years, who, being the president, vice-president, director, manager, or other officer of the bank, wilfully disposes of or concurs in disposing of any moneys received by the bank in a way not authorized by this Act for the disposition thereof, and he shall further be responsible for all damages sustained by any person in consequence of such disposition of such moneys.

Punishment  
for false  
statement in  
any document  
respecting  
bank's affairs.

**38.** The making of any wilfully false or deceptive statement in any account, statement, return, report, certificate, or other document respecting the affairs of the bank is an indictable offence, punishable by imprisonment for a term not exceeding five years, unless under some other Act or law it is punishable with imprisonment for a longer term; and every president, vice-president, director, auditor, manager, or other officer of the bank, and every chartered accountant, who prepares, signs, approves of, or concurs in such statement, return, report, certificate, or document, or uses it with intent to deceive or mislead any person, shall be held to have wilfully made such false statement, and shall further be responsible for all damages sustained by any person in consequence thereof.



## SCHEDULE.

## GUARANTEE FUND.

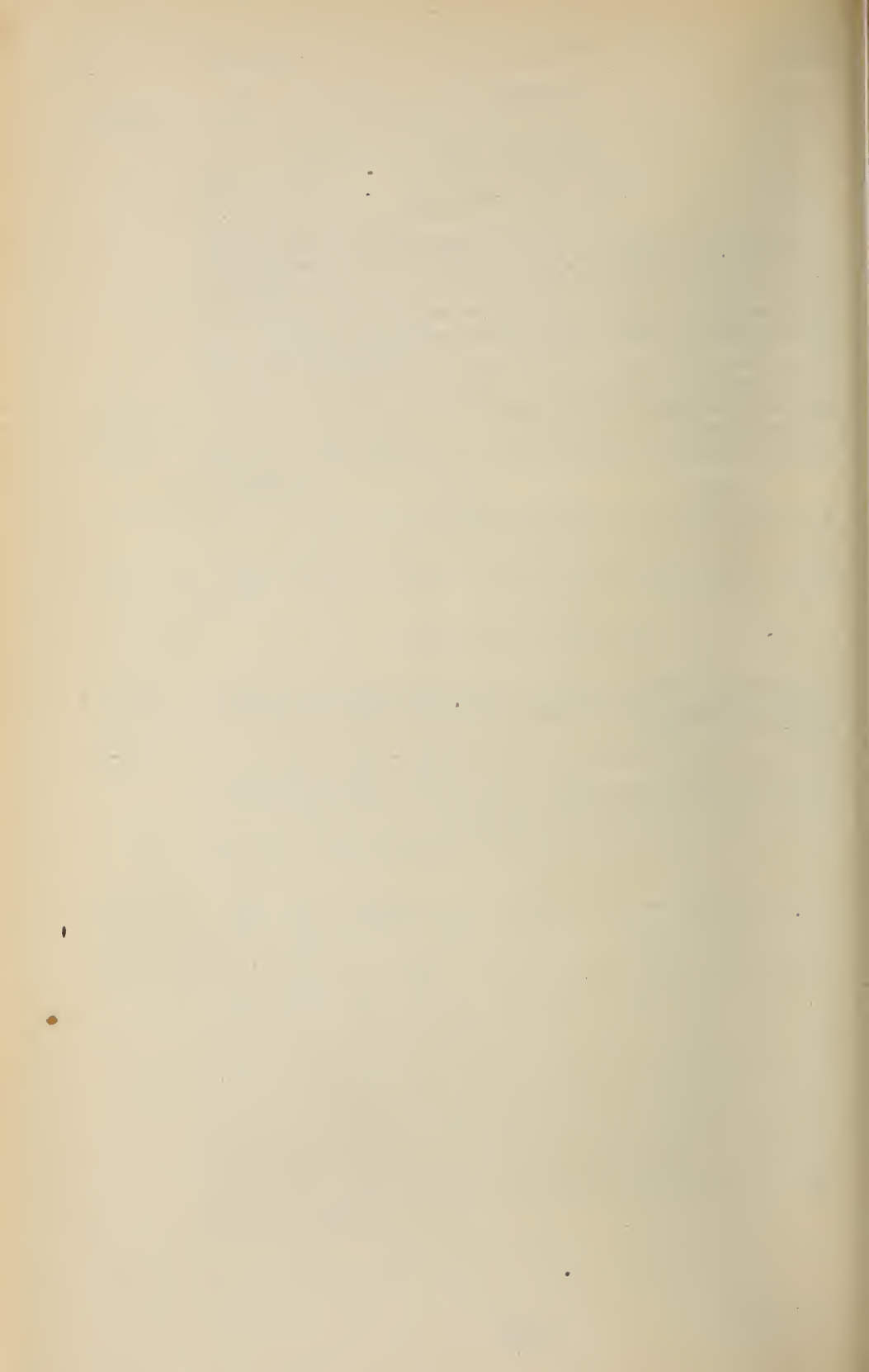
*Subscribers' Agreement.*

We, the undersigned, do hereby respectively become subscribers to the Guarantee Fund of (*name of bank*) incorporated under "The Penny Bank Act, 1903," to the respective amounts set opposite our respective signatures hereto, and we do hereby respectively agree with the said bank to pay from time to time such calls as may be made upon us respectively under the provisions of said Act, but not exceeding in all the respective amounts of our said subscriptions.

Signatures.	Addresses.	Amounts.

NOTE.—Subscriptions to the Guarantee Fund may be made upon one or more papers in the above form.

OTTAWA : Printed by SAMUEL EDWARD DAWSON, Law Printer to the King's most Excellent Majesty.





## 3 EDWARD VII.

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### CHAP. 48.

An Act respecting the Pilotage District of Montreal,  
and the Port and Pilotage District of Quebec.

[Assented to 24th October, 1903.]

**H**IS Majesty, by and with the advice and consent of the  
Senate and House of Commons of Canada, enacts as  
follows:—

1. On and after the first day of January, one thousand nine hundred and four, the Montreal Harbour Commissioners shall cease to be the pilotage authority of the pilotage district of Montreal, and all the powers vested in the said Montreal Harbour Commissioners as such pilotage authority, either under *The Pilotage Act* and the Acts amending it, or under *The Montreal Harbour Commissioners Act, 1894*, shall thereafter be vested in the Minister of Marine and Fisheries.

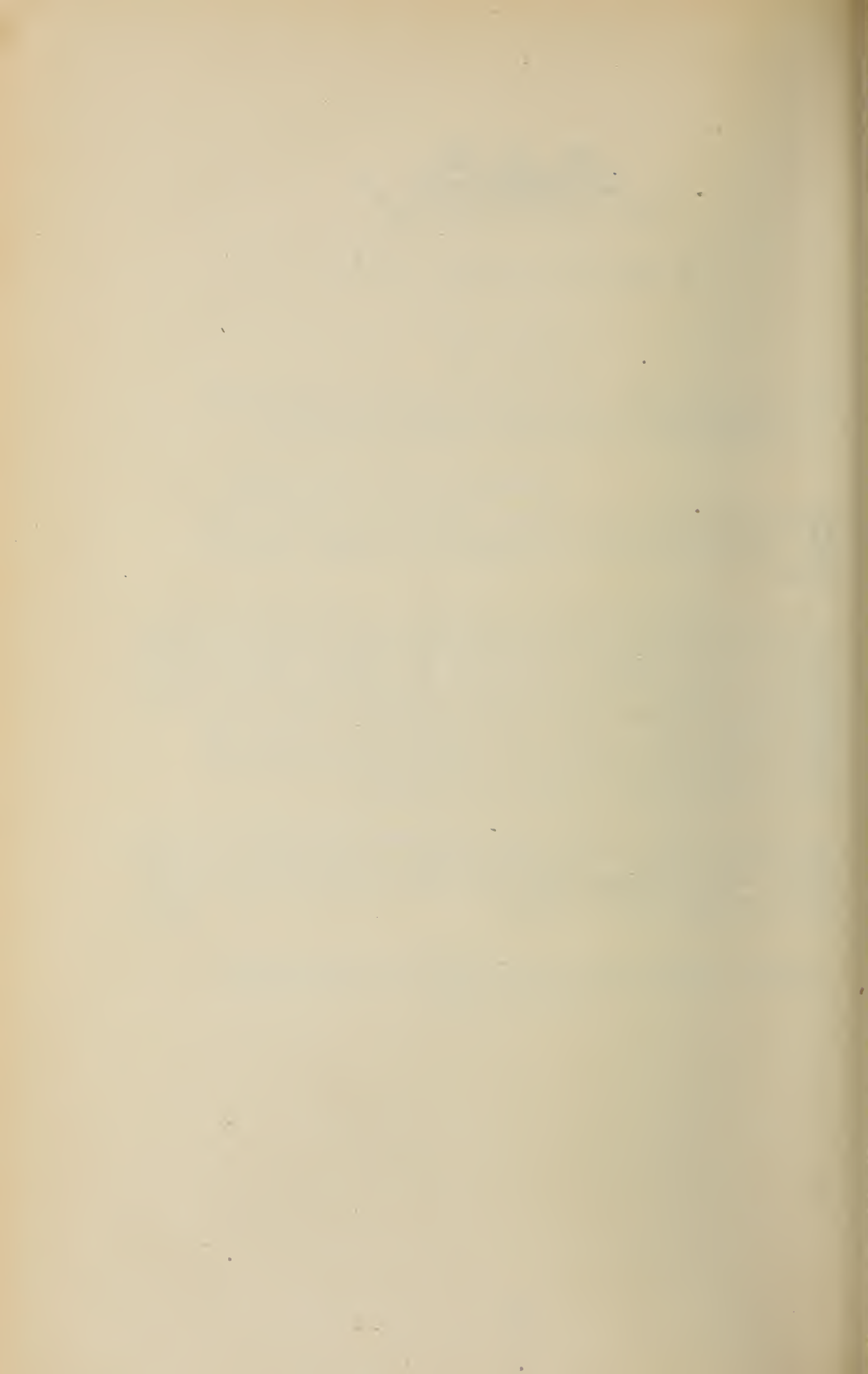
Montreal  
pilotage  
authority  
vested in  
Minister of  
Marine.

2. On and after the said day, notwithstanding anything in *The Pilotage Act* or in *The Quebec Harbour Commissioners Act, 1899*, the River Saguenay shall not be within the port of Quebec or the pilotage district of Quebec.

Saguenay not  
included in  
port or  
pilotage  
district of  
Quebec.

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most Excellent Majesty.







### 3 EDWARD VII.

#### CHAP. 49.

#### An Act to amend the Post Office Act.

[Assented to 13th August, 1903.]

**H**IS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

**1.** The following, in lieu of any other provision to the contrary, shall apply to all persons hereafter appointed as railway mail clerks :—

(a.) A railway mail clerk shall be appointed on probation for a period of at least six months, at a salary of four hundred dollars a year, with an additional allowance for mileage ; and on the confirmation of his appointment he may be paid at the rate of five hundred dollars a year and mileage, with annual increases of fifty dollars until the maximum of one thousand two hundred is reached.

(b.) Railway mail clerks shall pass a yearly case examination ; and no railway mail clerk shall be entitled to an increase of salary in any year in which he has not passed a satisfactory case examination, and no increase shall be granted except on the report of the Deputy Head, concurred in by the Head of the department, stating that the clerk is deserving of such increase.

(c.) The salary of a railway mail clerk may be reduced when the case examinations are not satisfactory.

(d.) Excepting train porters, no persons over thirty years of age (other than those who at the time of the passing of this Act are temporarily employed in the Post Office service) shall be eligible for appointment as railway mail clerks ; and no person shall be appointed unless he has passed the second or qualifying examination prescribed by *The Civil Service Act*, or unless he is a graduate of the Royal Military College or of any university in Canada.

(e.) Railway mail clerks appointed under this section shall be subject to the provisions of *The Civil Service Retirement Act*, 1898.

Railway mail clerks.

Appointment and salary.

Examination.

Reduction of salary.

Age and qualifications.

1898, c. 17 to apply.

Present clerks  
may come  
under this  
section.

(f.) Any person heretofore appointed to the permanent staff of the railway mail clerks may come under the provisions of this section at the salary he is then receiving, on his advising the Postmaster General in writing that he so desires; but his rights and position under *The Civil Service Superannuation Act* or *The Civil Service Retirement Act*, 1898, shall not be thereby affected.

Saving.

Statutory  
increase in  
such cases.

(g.) Any railway mail clerk coming under the provisions of this section in accordance with the next preceding paragraph, shall be eligible for an increase of fifty dollars at the expiration of one year from the date on which he last received an increase. No increase shall, however, be granted under this paragraph (except in the case of a railway mail clerk over sixty years of age) unless the clerk, within a period of twelve months, passes a satisfactory case examination.

Exemption  
from  
examination.

(h.) Railway mail clerks over sixty years of age shall not be required to pass the case examination.

Authority  
of Governor  
in Council.

(i.) Appointments and increases and reductions of salaries under this section shall be made by the Governor in Council.

Mileage  
allowance.

(j.) The mileage allowance under this section shall be the same as that provided for in Schedule B to *The Civil Service Act*, as amended by section 3 of chapter 12 of the statutes of 1889.

R.S.C., c. 17,  
and 1897, c. 26  
to apply.

(k.) Except as herein otherwise provided, the provisions of *The Civil Service Act* and of chapter 26 of the statutes of 1897 shall apply to all railway mail clerks employed under this section.

1902, c. 28,  
s. 4 amended.

2. Section 4 of chapter 28 of the statutes of 1902 is amended by striking out the word "six" in the second line and substituting therefor the word "three," and by inserting in the eleventh line after the words "responsible nature" the words "or in recognition of special efficiency and good conduct."

1902, c. 28,  
s. 6 amended.

3. Notwithstanding anything in section 6 of the said last-mentioned Act, the election provided for by that section may be exercised at any time within six months after the passing of this Act.

Probationary  
period, how  
reckoned.

4. The probationary period referred to in the said section 6 shall be deemed to be the period of employment in any capacity in the public service prior to the date of appointment or employment under *The Civil Service Act* by or under the authority of the Governor in Council, unless such service exceeds three months. If such prior service exceeds three months, then the first three months of such service shall be deemed to be the probationary period.

In the case  
of certain  
employees.

5. If any person to whom the said chapter 28 of the statutes of 1902 now applies, was employed in the public service prior to the date of his appointment or employment by or under the authority of the Governor in Council under *The Civil Service*

Act, and if his prior service, reckoned in the manner prescribed in the next preceding section, would have entitled him, at the date when he became subject to the provisions of the said Act, or at any subsequent date not later than the fifteenth day of August, 1902, to a grade higher than that in which he was classed at such date, he may be placed in such higher grade, and he shall be deemed to have served therein from the date when he would have become so entitled, and may be paid accordingly.

6. So much of schedule B to *The Civil Service Act* as relates to clerks in city post offices, as amended by section 15 of chapter 28 of the statutes of 1902 is repealed, and the following is substituted therefor :—

R.S.C., c. 17,  
schedule B  
amended.

*“ Clerks in City Post Offices, Inspectors’ Offices, and Superintendents of Railway Mail Service Offices.*

“ 4th Class, on appointment, \$400 ; by annual increases of \$50 up to \$700. Any stamper and sorter may be promoted to the 4th class, and on such promotion his initial salary as such 4th class clerk shall be not less than his salary as such stamper and sorter at the time of such promotion.

“ Junior 3rd Class, on appointment, \$700 ; by annual increases of \$50 up to \$800.

“ Senior 3rd Class, on appointment, \$800 ; by annual increases of \$50 up to \$900.

“ Junior 2nd Class, on appointment, \$900 ; by annual increases of \$50 up to \$1,000.

“ Senior 2nd Class, on appointment, \$1,000 ; by annual increases of \$50 up to \$1,200.

“ 1st Class, specific duties with fixed salaries in each case to be determined by the Postmaster General ; no salary to be less than \$1,200, or more than \$1,500.”

2. Any clerk in any of the said offices who, at the passing of this Act is in the third class, shall be deemed to be a junior third class clerk, his salary until otherwise ordered continuing to be the amount which he is then enjoying, subject to annual increases not exceeding fifty dollars until it reaches eight hundred dollars a year.

As to third  
class clerks.

3. Any clerk in the second class at the time of the passing of this Act shall be deemed to be a senior second class clerk, except that if his salary be less than one thousand dollars, it shall, until otherwise ordered, continue to be the amount which he is then enjoying, subject to annual increases, not exceeding fifty dollars each, until it reaches twelve hundred dollars a year.

As to second  
class clerks.

4. Notwithstanding anything to the contrary in *The Civil Service Act*, any clerk shall be eligible for promotion to any higher class in the outside branch of the Post Office Department without being required to pass any examination except such as may be prescribed under regulations to be passed by

Promotion  
in outside  
service.



the Postmaster General and having reference to the duties to be performed by such clerk.

R.S.C., c. 17,  
schedule B  
amended as  
to inspectors  
and assistant  
inspectors.

7. So much of Schedule B to *The Civil Service Act* as relates to Post Office Inspectors and Assistant Post Office Inspectors is hereby repealed, and in lieu thereof the following provisions shall apply :—

(a.) The salary of a Post Office Inspector on appointment shall be two thousand dollars, with increases of fifty dollars a year for six years, and one hundred dollars a year thereafter up to a maximum of two thousand six hundred dollars.

(b.) Any Post Office Inspector who, at the passing of this Act, has completed six years of service as such may be granted an increase of one hundred dollars a year up to the maximum of two thousand six hundred dollars.

(c.) Any Post Office Inspector who, at the passing of this Act, has completed less than six years of service as such may be granted an increase of fifty dollars a year until he has completed six years of service, and one hundred dollars a year thereafter up to the maximum of two thousand six hundred dollars.

(d.) The salary of an Assistant Post Office Inspector on appointment shall be twelve hundred dollars, with increases of fifty dollars a year for the first six years, and one hundred dollars a year thereafter up to a maximum of one thousand eight hundred dollars.

(e.) Any Assistant Post Office Inspector who, at the passing of this Act, has six years of service as such may be granted an increase of one hundred dollars a year up to a maximum of one thousand eight hundred dollars.

(f.) Any Assistant Post Office Inspector who, at the passing of this Act, has completed less than six years of service as such may be granted an increase of fifty dollars a year until he has completed six years of service, and one hundred dollars a year thereafter up to a maximum of one thousand eight hundred dollars.

(g.) The increase of salary under this section shall be payable at the expiration of one year from the date of appointment, or at the expiration of one year from the date on which the Post Office Inspector or Assistant Post Office Inspector last received an increase, as the case may be.

(h.) No Post Office Inspector or Assistant Post Office Inspector shall receive an increase except under the authority of an Order in Council, based on the recommendation of the Deputy Head, concurred in by the Head of the department.

R.S.C., c. 35,  
new s. 126.

8. Section 126 added to *The Post Office Act*, by section 3 of chapter 26 of the statutes of 1897, is repealed, and the following section is substituted therefor :—

Salary of superintendent.

“126. The salary of a superintendent shall on appointment be fifteen hundred dollars, with annual increases of one



hundred dollars up to a maximum salary of eighteen hundred dollars."

9. Section 26 of *The Post Office Act*, as enacted by section R.S.C., c. 35 3 of chapter 20 of the statutes of 1898, is amended by inserting <sup>s. 20 amended.</sup> the following proviso at the end of subsection 1:—

"Provided always that in any case where the distance in <sup>Postage on</sup> Canada which any such newspapers or periodicals are required <sup>newspapers.</sup> to be transmitted does not exceed three hundred miles from the place of publication, and such newspapers or periodicals (the distance for the transmission of which is limited as afore-said) are not to be delivered in Canada under the free letter carrier delivery system, the said rate of one-half of one cent for each pound or fraction of a pound weight shall be reduced to one-quarter of one cent."

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most Excellent Majesty.





## 3 EDWARD VII.

### CHAP. 50.

An Act to amend chapter 27 of the Revised Statutes, respecting the Department of Public Printing and Stationery.

[Assented to 10th July, 1903.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

1. Subsection 1 of section 5 of chapter 27 of the Revised Statutes, intituled *An Act respecting the Department of Public Printing and Stationery*, as amended by chapter 15 of the statutes of 1893, is repealed and the following is substituted therefor :—

R.S.C., c. 27,  
s. 5 amended.

“5. A Government establishment shall be organized at Ottawa, and shall be under the management of the Superintendent of Printing, in which establishment all printing, electrotyping, stereotyping, lithographing and binding and other work of like nature required for the service of the Parliament and Government of Canada shall be executed : Provided that nothing in this Act shall require that stationery and printing for the purposes of the Intercolonial Railway or the Prince Edward Island Railway shall be obtained or done in the said establishment in any case where such stationery and printing may be more conveniently procured elsewhere at a cost not exceeding customary and fair commercial rates for similar work or supplies in similar quantities : Provided that all accounts for printing and purchases made under the authority of this Act shall, before being paid, have been examined and certified by the King's Printer in accordance with this Act.”

Printing, etc.,  
to be done in a  
government  
establishment.

Proviso : as  
to I. C. R. and  
P. E. I. Ry.

2. The provisions of this section shall apply to all bills incurred or rendered within the current fiscal year 1902-3.

Application  
of section.

2. The subsections substituted for subsections 2 and 3 of section 5 of the said chapter 27 by section 4 of chapter 17 of the statutes of 1888, are repealed.

S. 5 further  
amended.

Employment  
of workmen.

3. The Superintendent of Printing may, with the approval of the King's Printer, employ such apprentices, journeymen, workmen, skilled hands or others, as are necessary to perform the work of the establishment and may remove the same,—and shall, with the approval of the Minister, purchase such material, other than printing and other paper, as is necessary for such service. The provisions of *The Civil Service Act* shall not apply to the persons so employed by him.

Their  
payment.

4. All persons employed under the provisions of the next preceding section shall continue to be paid at present rates in accordance with weekly, fortnightly or monthly pay rolls audited by the Accountant, and any increase shall be on the basis of the principle established by an Order in Council approved on the twenty-ninth day of November, one thousand eight hundred and ninety-three, and set forth in the schedule to this Act.

O. C. of Nov.  
29, 1893.

## SCHEDULE.

### *Order in Council.*

On a Report, dated 27th November, 1893, from the Secretary of State, stating that, with a view to prevent any unreasonable increase to the cost of work by gradual accretions to the rates of wages paid at the Printing Bureau, it is expedient to lay down the principle that the rates of wages paid to the operatives employed should be based upon the current rates for similar work throughout the Dominion, and that, for more special guidance to the officers of the department, it is advisable to order that the rates of wages in the cities of Montreal and Toronto shall, for the future, be taken as a standard not to be exceeded.

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## 3 EDWARD VII.

### CHAP. 51.

An Act further to amend the Act respecting Public and Reformatory Prisons.

[Assented to 24th October, 1903.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Wherever the words "Ontario Reformatory for Boys" occur in chapter 183 of the Revised Statutes, intituled *An Act respecting Public or Reformatory Prisons*, or in any other statute of Canada, they shall be construed to apply to and include all certified industrial schools in the province of Ontario, either or any of which shall be and shall be considered to be the Ontario Reformatory for Boys for all purposes so far as such statute is applicable, as soon as the Lieutenant Governor in Council of the province of Ontario makes an order that no boys are to be sentenced to the said reformatory.

Certified industrial schools in place of Ontario Reformatory for Boys.

2. Any boy now under committal to, or confined in, the Ontario Reformatory for Boys may be transferred to a certified industrial school.

Transfer of boys now in Ontario Reformatory.

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## 3 EDWARD VII.

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### CHAP. 52.

#### An Act to amend the Public Works Act.

[Assented to 25th June, 1903.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Section 13 of *The Public Works Act*, chapter 36 of the R.S.C., c. 36, Revised Statutes, is repealed and the following is substituted new s. 13. therefor:—

“13. The Minister shall invite tenders, by public advertisement, for the execution of all works, except in cases of pressing emergency in which delay would be injurious to the public interest, or in cases in which, from the nature of the work, it can be more expeditiously and economically executed by the officers and servants of the department, or in cases where the estimated cost of the work is less than \$5,000, and it appears to the Minister, in view of the nature of the work, that it is not advisable to invite tenders.”

Tenders to be invited for works.

Exceptions.

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## 3 EDWARD VII.

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### CHAP. 53.

An Act respecting the management and control of public and other works.

[Assented to 24th October, 1903.]

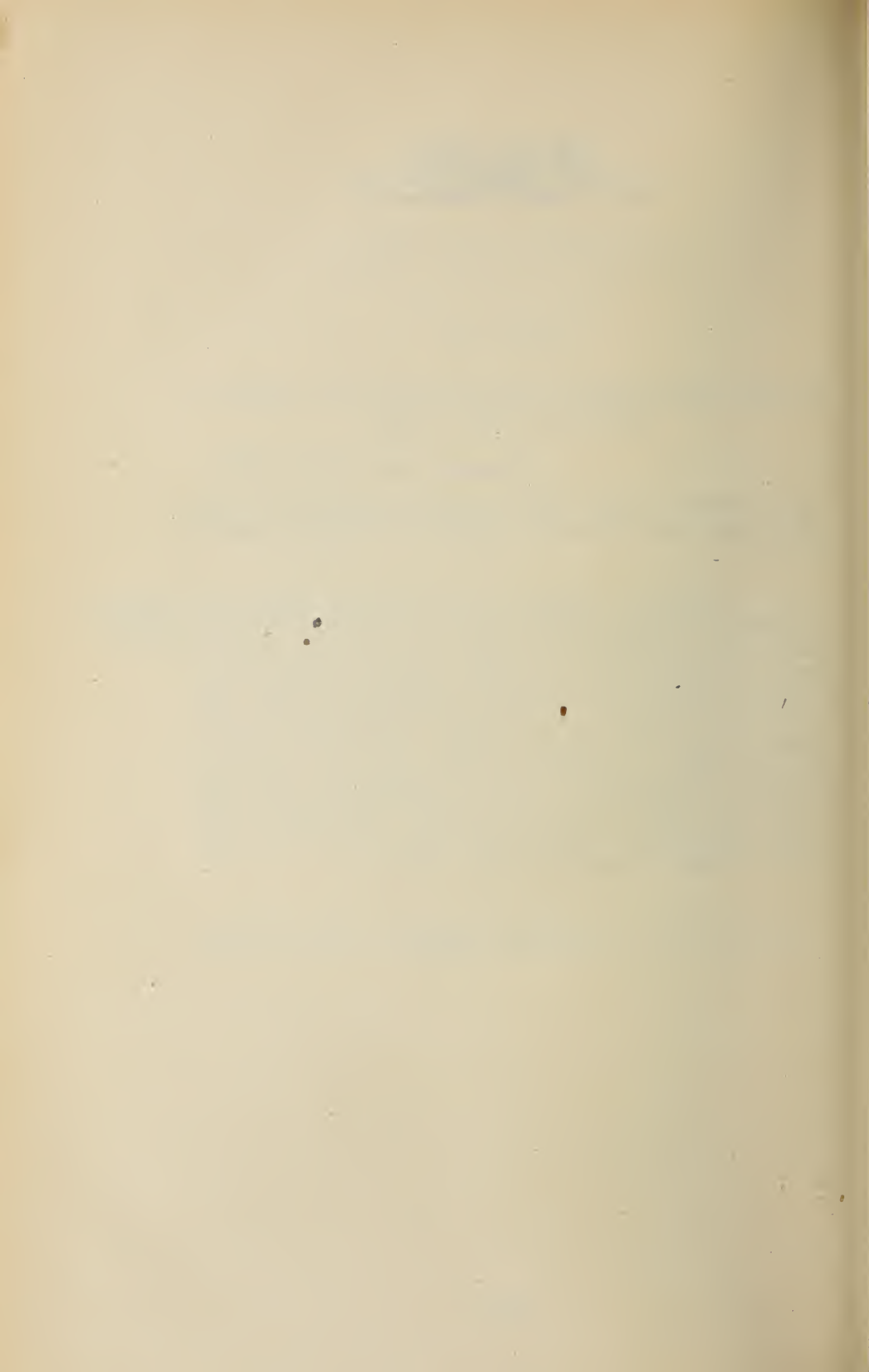
**H**IS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

1. The Governor in Council may at any time transfer the management, charge and direction of any public work, or any power, duty, or function with respect to any work or class of works, whether public or private, which is assigned to, or vested by statute in, any minister or department, to any other minister or department; and from the date appointed for that purpose by the Governor in Council, such power, duty, or function shall be transferred to, and vested in, such other minister or department; and the provisions of *The Public Works Act*, so far as they are applicable, shall apply to any work or property the maintenance, repair, control or management of which is transferred under this Act.

Transfer of management of works.

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## 3 EDWARD VII.

### CHAP. 54.

An Act to authorize aid to the Quebec Bridge and Railway Company towards the completion of its undertaking, and to confirm an agreement between His Majesty and the said Company with respect to such aid.

[Assented to 24th October, 1903]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The agreement dated the 19th day of October, 1903, made between the Quebec Bridge and Railway Company, hereinafter referred to as "the Company," and His Majesty, a copy of which forms the schedule to this Act, is hereby approved, ratified and confirmed, and declared to be legally binding upon the parties thereto; and the Company and His Majesty and all others concerned are hereby authorized and empowered to do whatever is necessary to give full effect to the said agreement. Agreement in schedule confirmed.

2. The mortgage to be given by the Company pursuant to the provisions of the said agreement shall when so given be valid and operative according to its terms. Validity of mortgage.

3. The guarantee of the Company's bonds to be given by the Government may be signed by the Minister of Finance and Receiver General, or by such other officer as is from time to time designated by the Governor in Council to sign it; and when the guarantee is so signed the Government shall be liable as guarantor for the payment of the principal and the interest of the bonds so guaranteed, according to the terms of such guarantee; and the payment thereof shall form a charge on the Consolidated Revenue Fund of Canada. Signature of guarantee.

4. Section 10 of the Act of the present session intituled *An Act respecting the Quebec Bridge Company and to change its* Maximum amount of bonds.

its name to "*The Quebec Bridge and Railway Company*," is hereby amended by increasing the maximum amount of the bonds, debentures or other securities which the Company may issue thereunder from \$6,000,000 to \$6,678,200, the amount for which the Company is authorized under the provisions of the said agreement to issue bonds, debentures or other securities.

Inspection  
of books.

5. The books of the Company shall at all times, so long as any of the guaranteed securities are outstanding, be open to inspection for and on behalf of the Government by any person named in that behalf by the Governor in Council or the Minister of Finance and Receiver General.

Surrender  
of stock by  
present  
subscribers.

6. The Company may, pursuant to clause one of the said agreement, accept from the present subscribers of the capital stock of the Company a surrender of such stock, and relieve them from further liability upon the stock subscribed for by them; and thereupon such liability, either to creditors of the Company or otherwise, shall cease and determine.

Number of  
directors.

7. Upon the coming into force of the said agreement the maximum number of directors of the Company shall be increased to eleven, and the Governor in Council shall have the right to appoint three of such directors.

Qualifications.

8. It shall not be necessary that the directors appointed by the Governor in Council be possessed of the qualifications required in the case of the other directors.

Consent of  
Parliament re-  
quired before  
Government  
assumes  
undertaking.

9. Nothing in this Act or in the agreement hereby confirmed shall authorize the Government, without the consent of Parliament previously obtained, to exercise the right to take over the whole undertaking, assets, property and franchises of the Company as provided in section 18 of the said agreement.

## SCHEDULE.

AGREEMENT made this nineteenth day of October in the year of our Lord one thousand nine hundred and three

BETWEEN

The Quebec Bridge and Railway Company, a corporation duly incorporated and organized under the laws of the Dominion of Canada, having its chief place of business in the said city of Quebec and herein acting and represented by the Honourable Simon Napoleon Parent, President, duly and specially authorized for the purposes hereof under a resolution passed at a meeting of the Board of Directors of the said Company on the first day of October, 1903; a copy of which said resolution remains annexed to the original of these presents



and is signed by the parties hereto, in order to identify the same (hereinafter called the Company)

## OF THE ONE PART :

And His Majesty King Edward the Seventh, acting in respect of the Dominion of Canada, herein represented and acting by the Honourable William Stevens Fielding, His Majesty's Acting Minister of Railways and Canals of Canada (hereinafter called the Government)

## OF THE OTHER PART.

Whereas the Company has by several Acts of the Parliament of Canada been duly authorized and empowered to lay out, construct, maintain, work, manage and use a railway bridge, with the necessary approaches over the St. Lawrence River at or near the City of Quebec, and also to lay out, construct and operate the following lines of railway :—

(a.) Commencing at or near the northern terminus of the bridge of the Company at a point in the Parish of Ste. Foye in the County of Quebec, thence easterly following the general line of the St. Lawrence River to the City of Quebec ;

(b.) Commencing at a point at or near the southern terminus of the said bridge, in the County of Lévis, to a point at or near the intersection of the Grand Trunk Railway with the Intercolonial Railway at Chaudière curve, in the County of Lévis, or to some point on the Grand Trunk Railway, or on the Intercolonial Railway near such point of intersection ;

And whereas it is the intention of the Company to provide by the construction of the said bridge and works for the conveyance of traffic across the River St. Lawrence at or near the City of Quebec, and to provide terminal and other facilities for the interchange of traffic between the railways which are or may be hereafter constructed near the said bridge upon the north and south sides of the said river, and which may be desirous of making use of such facilities ;

And whereas the Company has been duly organized and has issued two hundred thousand dollars (\$200,000) of its authorized capital stock of one million dollars (\$1,000,000) upon which the shareholders have paid the sum of \$65,585.70.

And whereas the Government of the Province of Quebec has granted a subsidy to aid in the construction of the said works to the amount of two hundred and fifty thousand dollars (\$250,000) and has paid the whole amount thereof ;

And whereas the municipality of the City of Quebec has granted a subsidy to aid in the construction of the said bridge to the amount of three hundred thousand dollars (\$300,000) and has paid the whole amount thereof ;

And whereas the Government has granted a subsidy towards the construction of the said bridge to an amount not exceeding one million dollars (\$1,000,000), and has paid to the

Company on account of the said subsidy the sum of three hundred and seventy-four thousand three hundred and fifty-three dollars (\$374,353) ;

And whereas the substructure and approaches of the said bridge have been completed and a portion of the superstructure has been constructed ;

And whereas the Company has so far expended upon the said works the sum of \$914,862, and is indebted in respect of the same work in the sum of \$779,550, including at par value bonds to the extent of \$472,000, upon which was realized the sum of \$283,279 ;

And whereas the amount necessary to complete the said bridge and the said lines of railway and to provide the necessary terminal and other facilities as well as to pay off the aforesaid amount of the present indebtedness of the Company is estimated at the sum of \$6,866,882 ;

And whereas, the Company is unable to proceed with the said works without further assistance from the Government, and it has applied to the Government for such assistance, which the Government has agreed to grant in the manner and form and upon the terms and conditions hereinafter set forth and declared ;

Now this agreement witnesseth that in pursuance of the said agreement and for the considerations herein appearing,—

The said Company and the Government mutually covenant, promise and agree to and with each other in manner following, that is to say :—

1. In these presents the expression “undertaking” shall mean and include the said bridge and approaches, the said lines of railway and the terminal and other facilities to be constructed as aforesaid.

The expression “the Company” shall mean and include as well as the said Company, their successors and assigns, and the expression “the Government” shall mean and include as well as His Majesty King Edward the Seventh his heirs and successors.

2. The Company releases and foregoes any claim which it may have upon the Government for any balance now remaining unpaid of the said subsidy of \$1,000,000 so granted by the Government as aforesaid, and also any other rights or claims against the Government other than such as are hereinafter set forth and expressly declared.

3. The Company will forthwith arrange with the present subscribers of the capital stock of the Company that such subscribers shall surrender such stock to the Company, and in lieu thereof accept paid up stock for the amount paid by them on their shares, the Company relieving them from further liability upon the stock so surrendered.

4. The Company will procure subscriptions for additional stock to the amount of \$200,000, such new stock to be issued at a price not below par and to be immediately paid up in full, the proceeds to be applied in the first place in the payment

of the discount at which the bonds of the Company were issued as aforesaid, to wit, the sum of \$188,721.

5. When and so soon as the Company shall have completed all the arrangements mentioned in the two preceding clauses, and the proceeds of the said issue of \$200,000 stock shall have been paid in full to the Company, the Company shall be at liberty to issue such bonds, debentures or other securities as hereinafter provided to an amount not exceeding \$6,678,200.

6. The said bonds, debentures or other securities shall be issued by the Company upon the credit of the Company and upon the security of its undertaking and property, and upon the franchises, tolls, rents and revenue thereof, and shall form the first charge upon the same, and shall be secured by a mortgage thereon, as hereinafter provided. They shall be issued payable in fifty years from the date thereof, and shall bear interest at the rate of three per cent per annum, payable half yearly, and shall be issued as hereinafter provided. The proceeds of such securities shall be applied in payment of the balance of the existing obligations and indebtedness of the Company, including any bonds or mortgages issued in respect thereof and not herein otherwise provided for; in the construction and completion of the undertaking, and for the acquisition of the right of way, and other lands, which the Company is authorized to acquire or expropriate for the purposes of the undertaking and in payment of land damages in connection therewith.

7. The Government shall guarantee the payment of the principal and interest of the bonds, debentures or other securities of the Company to an amount not exceeding \$6,678,200. The said bonds, debentures or other securities shall be so issued as to provide for monthly payments as far as practicable to the Company, and they shall be issued, or the proceeds thereof paid to the Company, as the construction of the undertaking is proceeded with to the satisfaction of the Government and in such sums as the Chief Engineer of the Government Railways or such other officer as the Government may appoint may certify are justified.

8. The kind of securities to be so guaranteed and the form and denominations thereof, as well as the time and manner of their issue and the form and manner of guarantee, shall be subject to the approval of the Governor in Council.

9. The mortgage to secure such securities shall be made to a trustee or trustees approved by the Governor in Council, and the form and terms of the mortgage shall be subject to the like approval.

10. All moneys paid by the Government under the said guarantee shall be held to be paid in discharge of the liability of the Government, but not in discharge of the liability of the Company under the securities guaranteed or under the mortgage securing them, and the moneys so paid shall be held to be still secured by the said securities and mortgage, and the Government shall be subrogated in all the rights of the holders



of the securities, the interest upon or the principal of which has been paid by the Government, and the Government shall, in respect of all moneys so paid, be in all respects in the position of security holders in respect of whose securities default has been made in payment to the extent of the moneys paid by the Government.

11. The Company shall not create or issue any further stock, shares, bonds or interests in the Company or its undertaking other than and except as provided for by and in these presents.

12. The plans and specifications for all the works of the undertaking shall be submitted to and approved by the Governor in Council before any work is constructed thereunder.

13. The continuation of the work of constructing the said undertaking shall be proceeded with so soon as the plans thereof are submitted to and approved by the Governor in Council, and the said undertaking shall be completed not later than the first day of December, 1906.

14. Upon the execution of this agreement, the Governor in Council shall have the right to appoint three Directors of the Company, the number of Directors to be elected by the shareholders of the Company being limited to eight, and the Directors so appointed and elected shall constitute the Board of Directors of the Company. The Directors appointed by the Governor in Council need not be possessed of the qualifications required in the case of elected Directors. They shall be entitled as such Directors to the same fees or allowances from the Company as are paid or allowed to the other Directors.

15. The Governor in Council shall fix the tolls and further shall make regulations with regard to the use of the undertaking so as to secure the right to the use and enjoyment thereof to all railway companies which may desire to connect therewith upon fair and equal terms without preference to one railway over another.

16. From and after the first day of December, 1906, or the date of the completion of the undertaking, whichever shall first happen, the Company shall out of the net income of the undertaking, that is to say, after payment out of the income of the expenses of operation and other charges for maintenance and repairs and for renewals of the said undertaking, or any part or parts thereof, and of the interest upon the bonded indebtedness, annually pay to the Government for the purpose of forming a sinking fund for the redemption of the bonded indebtedness of the Company a sum equal to one-half of one per cent of the total amount of such bonded indebtedness.

17. If in any year or years the net income of the undertaking is insufficient to pay the amount required for the said sinking fund, the net income of any subsequent year or years shall be applied in the first place in reduction or payment of such deficiency together with interest at the rate of three per centum per annum.

18. The Company agrees that the Government may exercise and the Government hereby reserves the right to take over



the whole of the undertaking, assets, property and franchises of the Company, at any time, on paying the shareholders the amount of their stock at the par value thereof, not exceeding the amount of \$265,585.70, with simple interest at five per centum per annum upon such amount as from the date or dates of the payment or payments upon the original or any substituted stock; such interest, however, to be charged with and reduced by the amount of the dividends (if any) which shall have accrued and been paid to the said shareholders respectively, so that no more interest than five per centum per annum after deducting all dividends shall in any case be paid to the said shareholders. The Government, in addition to interest ascertained in manner aforesaid shall pay to the shareholders a premium of ten per centum upon the par value of the fully paid shares. Such right to take over the undertaking may be exercised at any time by the Government upon giving one month's notice to the Company, which shall thereupon, and upon payment by the Government to the shareholders as aforesaid, grant, surrender and release to the Government all their right, title and interest in and to the said undertaking and to the franchises and all other assets and property of the Company of whatsoever nature or kind, subject to the payment of such obligations of the Company as may have been contracted with the consent and approval of the Government, if any, for construction, operation and maintenance, and to the said bonded indebtedness which the Government shall thereupon assume and pay according to the terms of the said bonds or other securities and of the mortgage securing the same.

19. In the event of the Government exercising the said right to take over the undertaking, assets, property and franchises of the Company as aforesaid, the provisions contained in the following clauses numbers 20 to 24, shall take effect and come into operation from and after the date of such acquisition.

20. For the purposes of the sinking fund for the redemption of the bonded indebtedness, a like sum as is in and by clause 16 hereof provided to be paid for such purposes by the Company to the Government shall be annually set aside by the Government out of the net income of the undertaking, that is to say, after payment out of the income of the expenses of operation and other charges for maintenance, repairs and for renewals or improvements upon and additions to the said undertaking and any part or parts thereof, and of the interest upon the bonded indebtedness and of interest calculated at the rate of three per centum per annum on all moneys paid by the Government in accordance with the provisions of clause 18 for the acquisition of the undertaking, and of interest at the same rate on any other liability or expenditure incurred or made by the Government in connection with the undertaking.

21. The Government will, subject to the provision next hereinafter contained, annually pay to the Government of the

Province of Quebec and to the Corporation of the City of Quebec respectively a proportion of the balance of the net income after providing for the said charges, interest and expense and the amount to be set aside for the sinking fund as aforesaid, such proportion being based upon the amount paid or contributed as a subsidy by each of the three parties, namely, the Dominion Government \$374,353, the Government of the Province of Quebec \$250,000, and the City of Quebec \$300,000; not exceeding however, as regards the Government of the Province of Quebec and the City of Quebec, respectively, the sum of \$7,500 and \$9,000, being the amount of interest calculated at the rate of three per centum per annum on the said sum of \$250,000 and \$300,000.

22. If in any year or years subsequent to the acquisition of the undertaking by the Government the income of the undertaking shall be insufficient to meet the charges and expenses and the provision for the sinking fund, more particularly set forth in clause 20 hereof, the net income of any subsequent year or years after providing for the said charges, interest and expenses and the amount to be set aside for the sinking fund shall be applied in reduction or payment of the amount of such deficiency before any such division of the net income and payment of part thereof to the Government of the Province of Quebec and the City of Quebec respectively, as provided for by the last preceding clause, is made.

23. If at any time and with or without notice the Government shall pay or cause to be paid to the Government of the Province of Quebec and the City of Quebec, or either of them, the amount of their respective subsidies of \$250,000.00 and \$300,000.00 all payments, whether in respect of capital or income, to be made under the foregoing provisions to the said Government of the Province of Quebec or the City of Quebec, respectively, shall as and from that time absolutely cease and determine.

24. Notwithstanding anything contained in the five next preceding clauses, the undertaking, assets, property and franchises of the Company shall at all times be and remain the absolute property of the Government and the sole right of control and management shall be and continue absolutely vested in the Government.

25. This agreement shall not come into force or effect unless and until it has been approved, ratified and confirmed by the Parliament of Canada.

In testimony whereof the said parties have hereunto set their hands and seals the day and year first herein written.

Signed, sealed and delivered	}	(Signed.)	W. S. FIELDING.
in the presence of			"

(Signed.) O. E. TASCHEREAU.



## 3 EDWARD VII.

### CHAP. 55.

#### An Act to aid in the settlement of Railway Labour Disputes.

[Assented to 10th July, 1903.]

**W**HEREAS from time to time differences may arise between Preamble.  
railway companies and their employees which the parties thereto failing to adjust, may result in lockouts and strikes; and whereas railway lockouts and strikes may interfere with the proper and efficient transportation of mails, passengers and freight, interrupt the trade and commerce of the country, cause railways to fall into disrepair to the danger of the lives of passengers and employees, and in various other ways occasion serious injury both public and private; and whereas it is desirable to aid in the settlement of such differences: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. This Act may be cited as *The Railway Labour Disputes Act, 1903.* Short title.

2. In this Act, unless the context otherwise requires,— Interpretation

(a.) The expression “Minister” means the Minister of “Minister.”  
Labour;

(b.) The expression “department” means the Department “Department.”  
of Labour;

(c.) The expression “railway” means any railway whether “Railway.”  
operated by steam, electricity or other motive power, and whether under the jurisdiction of the Parliament of Canada or of the legislature of any province;

(d.) The expression “railway employers” means any “Railway employers.”  
company or government owning or operating wholly or to a lesser extent any railway operated by steam, electricity or other motive power, and whether under the jurisdiction of the Parliament of Canada or of the legislature of any province;

(e.) The expression “railway employee” means any person “Railway employee.”  
engaged to perform any work or service in respect of any railway whether operated by steam, electricity, or other motive power,



power, and whether under the jurisdiction of the Parliament of Canada or of the legislature of any province ;

“Difference.” (f.) The expression “difference” means any dispute, disagreement or dissension which in the opinion of the Minister may have caused or may cause a lockout or strike on a railway or which has interfered or may interfere with the proper and efficient transportation of mails, passengers or freight, or the safety of persons employed upon any car or train ;

“Committee.” (g.) The expression “Committee” means the Committee of Conciliation, Mediation and Investigation established under the provisions of this Act.

“Board.” (h.) The expression “Board” means the Board of Arbitrators established under the provisions of this Act.

Appointment  
of Committee  
of concilia-  
tion.

**3.** Whenever a difference exists between any railway employers and railway employees, and it appears to the Minister that the parties thereto are unable satisfactorily to adjust the same, and that by reason of such difference remaining unadjusted a railway lockout or strike has been or is likely to be caused or the regular and safe transportation of mails, passengers or freight has been or may be interrupted or the safety of any person employed on a railway train or car has been or is likely to be endangered, the Minister may either on the application of any party to the difference, or on the application of the corporation of any municipality directly affected by the difference, or of his own motion, cause inquiry to be made into the same and the cause thereof, and for that purpose may, under his hand and seal of office, establish a Committee of Conciliation, Mediation and Investigation to be composed of three persons to be named, one by the railway employers, and one by the railway employees (parties to the difference), and the third by the two so named or by the parties to the difference in case they can agree. The Minister shall in writing notify each party to name a member of said committee stating in such notice a time not being later than five days after the receipt of such notice within which this is to be done and if either party within such time or any extension thereof that the Minister, on cause shown, may grant, refuse or fail to name a member of said committee the Minister or the Lieutenant Governor in Council, as the case may be, as hereinafter provided, may appoint one in the place of the party so refusing or in default, and if the members of said committee so chosen fail to select a third member the Minister, or the Lieutenant Governor in Council, as the case may be, may make such selection.

Duty of  
committee.

**4.** It shall be the duty of the Conciliation Committee to endeavour by conciliation and mediation to assist in bringing about an amicable settlement of the difference to the satisfaction of both parties, and to report its proceedings to the Minister.



5. In case the Conciliation Committee is unable to effect an amicable settlement by conciliation or mediation, the Minister may refer the difference to arbitration under the provisions of this Act. Board of arbitrators.

(a.) If acceptable to both parties, the Conciliation Committee may act as a Board of Arbitrators.

(b.) In case of objection by either party to its representative on the Conciliation Committee acting as a member of the Board of Arbitrators, or to the chairman of said Conciliation Committee being a member of the Board of Arbitrators, new representatives on the Board of Arbitrators shall be appointed, in place of the member or members of the Conciliation Committee objected to, in like manner as the original members of the Conciliation Committee were appointed.

The Board of Arbitrators so chosen shall be established by the Minister under his hand and seal of office.

6. If any member of said Committee or Board shall die, refuse, neglect or become incapable to act, then whenever the same shall happen a successor shall be appointed in like manner as is above provided in respect of the original member of committee or board. Before such appointment the name of the person proposed to be appointed shall be submitted to both parties to the difference and there shall be afforded to each of them an opportunity, within such time as the Minister may fix, of making known to the appointing authority whether such proposed appointee is objected to, it being intended that it shall be endeavoured to appoint only such person as shall not be reasonably objected to by either party. Filling of vacancies.

7. In the event of the establishment of a Committee of Conciliation, Mediation and Investigation, or of a Board of Arbitrators to deal with any differences between the Government of Canada in respect of the Intercolonial Railway and the Prince Edward Island Railway and any of its employees, the power to appoint conciliators or arbitrators which otherwise in accordance with the foregoing provisions might be exercisable by the Minister shall be exercisable either by the Lieutenant Governor in Council of the province of Quebec, of New Brunswick, of Nova Scotia, or of Prince Edward Island (in this Act called the Lieutenant Governor in Council), as the Minister shall for that purpose in each case of conciliation or arbitration in writing name. In case of difference with Intercolonial Railway employees.

8. The third member of the said Committee or Board shall be the chairman. Chairman.

9. In case of arbitration pursuant to the provision hereinbefore contained the findings and recommendations of the majority shall be those of the Board. In case of the absence of any one arbitrator from a meeting of the Board the other two arbitrators shall not proceed unless it be shown that the third Acts of majority of Board, etc.

arbitrator has been notified of the meeting in ample time to admit of his attendance.

Convening  
Board.

Inquiring  
by Board.

Report to  
Minister.

**10.** Forthwith after the appointment of the Board the chairman shall promptly convene the same, and the Board shall in such manner as it thinks advisable make thorough, careful and expeditious inquiry into all the facts and circumstances connected with the difference and the cause thereof and shall consider what would be reasonable and proper to be done by both or either of the parties with a view to putting an end to the difference, and to preventing its recurrence and shall with all reasonable speed make to the Minister a written report setting forth the various proceedings and steps taken by the Board for the purpose of fully and correctly ascertaining all the facts and circumstances, and also setting forth said facts and circumstances, and its findings therefrom including the cause of the difference and the Board's recommendations with a view to its removal, and the prevention of its recurrence.

Communica-  
tion of report.

**11.** The Minister shall forthwith cause the report to be filed in the office of the department, and a copy thereof to be sent free of charge to each party to the difference and to any municipal corporation as aforesaid, and to the representative of any newspaper published in Canada who may apply therefor; any other person shall be entitled to a copy on payment of the actual cost thereof.

Publication  
of report.

**12.** For the information of Parliament and the public the report shall without delay be published in the *Labour Gazette*, and be included in the annual report of the Department of Labour to the Governor General.

Witnesses  
may be  
summoned.

**13.** For the purpose of such inquiry the Board shall have all the power of summoning before it any witnesses, and of requiring them to give evidence on oath, or on solemn affirmation, if they are persons entitled to affirm in civil matters, and produce such documents and things as the Board deems requisite to the full investigation of the matters into which it is inquiring, and shall have the same power to enforce the attendance of witnesses, and to compel them to give evidence as is vested in any court of record in civil cases; but no such witness shall be compelled to answer any question, by his answer to which he might render himself liable to a criminal prosecution.

Issue of  
summons.

Expenses of  
witnesses.

**14.** On the application of any of the parties, or on its own motion, the Board may issue summonses to such persons as the Board may think necessary to give evidence in the case, and any witness summoned by the Board shall be entitled to free transportation over any railway en route when proceeding to the place of meeting of the Board, and thereafter returning to his home, and the Board shall furnish to such witness a proper certificate evidencing his right to such free transportation.

**15.** The summons shall be in such form as the Minister shall prescribe, and may require such person to produce before the Board any books, papers, or other documents in his possession or under his control, in any way relating to the proceedings.

Form of  
summons.

**16.** All books, papers, and other documents, produced before the Board, whether voluntarily or in pursuance to summons, may be inspected by the Board and also by such of the parties as the Board allows; but the information obtained therefrom shall not be made public, and such parts of the books, papers, and documents as, in the opinion of the Board, do not relate to the matter at issue, may be sealed up.

Documents  
not to be  
made public.

**17.** The department will pay to each member of a Conciliation Committee or Board of Arbitration his actual travelling expenses and also to each of them other than the chairman, ten dollars per day for each day that he shall attend a meeting of the Committee or Board or be engaged in travelling from or to his home (being in Canada) for the purpose of attending or after having attended a meeting of the Committee or Board. The department will pay to the chairman such sum as the Governor in Council deems reasonable. The department will also at its expense provide the Committee or Board with a stenographer, secretary and any other clerical assistance that to the Minister may appear necessary for the efficient carrying out of the provisions of this Act.

Payment of  
members of  
Committee  
or Board.

Clerical  
assistance.

**18.** The report of the Conciliation Committee and the report of the Board shall be signed by such of the members as concur therein, and may also be signed by a dissenting member.

Report to be  
signed.

**19.** No counsel or solicitor shall be entitled to appear before the Board except with the consent of all parties to the difference, and notwithstanding such consent, the Board may, if it deems it advisable, decline to allow counsel or solicitors to appear before it. The parties to the difference may appear in person or by agents.

Counsel not  
allowed,  
except by  
consent.

Agents  
allowed.

**20.** No court of the Dominion of Canada or of any province or territory shall have or possess any power or jurisdiction to recognize or enforce or to receive in evidence any report of the said Board of Arbitrators or any report of the said Committee of Conciliation, or any testimony or proceedings before either the said Board or Committee as against any party or person or for any purpose whatsoever, except in case of prosecution for perjury.

Jurisdiction  
of courts.

**21.** Where the difference, which is being inquired into, affects a class of employees, it shall not be necessary for them all to take part in the inquiry, but the class may be represented

Representa-  
tion of  
employees  
before  
board



ed by a limited number chosen by a majority or by agents other than counsel or solicitor.

Power of  
arrest for  
contempt of  
Board.

**22.** If, in any proceedings before the Board, any person wilfully insults any member of the Board, or wilfully interrupts the proceedings, or without good cause refuses to give evidence, or is guilty in any other manner of any unlawful contempt in the face of the Board, it shall be lawful for any member of the Board or constable to take the person offending into custody and remove him from the precincts of the Board and retain him in custody until the rising of the Board.

Secrecy of  
proceedings.

**23.** It shall be in the discretion of the Board to conduct its proceedings in public or in private.

Regulations.

**24.** The Minister may from time to time make, alter and amend regulations, as to the time within which any thing hereby authorized shall be done, and also as to any other matter or thing which appears to him necessary or advisable in order to the effectual working of the several provisions of this Act.

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OTTAWA: Printed by SAMUEL EDWARD DAWSON, Law Printer to the King's most Excellent Majesty.





## 3 EDWARD VII.

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### CHAP. 56.

An Act to amend Chapter 8 of the Statutes of 1900,  
authorizing the granting of Railway Subsidies.

[Assented to 25th June, 1903.]

**H**IS Majesty, by and with the advice and consent of the Preamble.  
Senate and House of Commons of Canada, enacts as  
follows :—

**1.** Paragraph (c) of section 3 of chapter 8 of the statutes of 1900, c. 8,  
1900, intituled *An Act to authorize the granting of subsidies in* s. 3 amended  
*aid of the construction of the lines of railway therein mentioned,*  
is amended by substituting the word “thirty” for the word  
“sixty” in the fifth line of the said paragraph.

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OTTAWA : Printed by SAMUEL EDWARD DAWSON, Law Printer to the King's  
most Excellent Majesty.





## 3 EDWARD VII.

### CHAP. 57.

An Act to authorize the granting of subsidies in aid of the construction of the lines of railway therein mentioned.

[Assented to 24th October, 1903.]

**H**IS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

1. In this Act, unless the context otherwise requires, the expression “cost” means the actual, necessary and reasonable cost and shall include the amount expended upon any bridge, up to and not exceeding \$25,000, forming part of the line of railway subsidized not otherwise receiving any bonus, but shall not include the cost of terminals and right of way of the railway in any city or incorporated town ; and such actual, necessary and reasonable cost shall be determined by the Governor in Council, upon the recommendation of the Minister of Railways and Canals, and upon the report of the Chief Engineer of Government Railways, certifying that he has made or caused to be made an inspection of the line of railway for which payment of subsidy is asked, and careful inquiry into the cost thereof, and that in his opinion the amount upon which the subsidy is claimed is reasonable, and does not exceed the true, actual and proper cost of the construction of such railway.

Interpreta-  
tion.  
“Cost.”

2. The Governor in Council may grant a subsidy of \$3,200 per mile towards the construction of each of the undermentioned lines of railway (not exceeding in any case the number of miles hereinafter respectively stated) which shall not cost more on the average than \$15,000 per mile for the mileage subsidized, and towards the construction of each of the said lines of railway not exceeding the mileage hereinafter stated, which shall cost more on the average than \$15,000 per mile for the mileage subsidized, a further subsidy beyond the sum of \$3,200 per mile of fifty per cent on so much of the average

Subsidies for  
railways.

cost of the mileage subsidized as is in excess of \$15,000 per mile, such subsidy not exceeding in the whole the sum of \$6,400 per mile :—

1. To the Tilsonburg, Lake Erie and Pacific Railway Company, for a line of railway from the present terminus at Ingersoll to Woodstock, not exceeding 9 miles, in lieu of the subsidy granted by item 26 of section 2 of chapter 7 of 1899.

2. To the Lindsay, Bobcaygeon and Pontypool Railway Company, for a line of railway from Burkton to Bobcaygeon, not exceeding 40 miles, in lieu of the subsidy granted by item 11 of section 2 of chapter 7 of 1899.

3. To the Toronto, Lindsay and Pembroke Railway Company, for a line of railway from Golden Lake to Bancroft, not exceeding 51 miles, in lieu of the subsidy granted by item 6 of section 2 of chapter 7, 1901.

4. To the Central Ontario Railway, for a further extension of its railway from a point at or near Bancroft to a point on the Canada Atlantic Railway at or near Whitney, not exceeding 40 miles, in lieu of the subsidies granted by item 5 of section 2 of chapter 8 of 1900, and item 16 of section 2 of chapter 7 of 1901, respectively.

5. To the Strathroy and Western Counties Railway Company, for a line of railway from a point at Lambeth to Strathroy, via the villages of Delaware, Mount Brydges and Caradoc Station on the Canadian Pacific Railway, and from Strathroy northerly to Forest, Thedford or Parkhill, not exceeding in all 31 miles, in lieu of subsidies granted by item 4 of section 2 of chapter 7, 1899, and item 2 of section 2 of chapter 8 of 1900, respectively.

6. To the Montfort and Gatineau Colonization Railway Company, to extend its railway from Arundel to a point in the municipality of the united townships of Preston and Hartwell, not exceeding 30 miles, in lieu of the subsidy granted by item 31 of section 2 of chapter 8 of 1900.

7. For a line of railway from Jonquières to La Baie des Ha Ha, not exceeding 20 miles, in lieu of the subsidy of 12 miles granted by item 21 of section 2 of chapter 7 of 1899.

8. For a line of railway from Lime Ridge northerly through the county of Wolfe into the county of Megantic, not exceeding 50 miles, being a revote of the subsidy granted by chapter 4 of 1894.

9. For a line of railway from Joliette to or near Lake Manuan, a distance not exceeding 60 miles, being a revote and in lieu of subsidies granted by chapter 4 of 1897 and chapter 8 of 1900.

10. For a line of railway from St. Eustache to St. Placide in the county of Two Mountains, not to exceed 18 miles; from St. Eustache to Sault au Recollet, 12 miles; and from St. Placide to St. Andrews, 8 miles—not exceeding in all 38 miles; being a revote of subsidies granted by chapter 24 of 1887 and chapter 5 of 1892, respectively.



11. For a line of railway from Roberval westward towards James Bay, not exceeding 60 miles, in lieu of the subsidy granted by item 25 of section 2 of chapter 7 of 1901.

12. For a line of railway from Yamaska to Lotbinière, a distance not exceeding 70 miles, in lieu of the subsidy granted by item 27 of section 2 of chapter 7 of 1899.

13. To the Ottawa, Northern and Western Railway Company, for that portion of its line from a point at the east end of the Hull station yard of the Canadian Pacific Railway to a point of junction with the Interprovincial Bridge approach in the city of Hull, not exceeding one mile; and for a line of railway to the boundary line of the city of Hull from a point on the Ottawa and Gatineau Railway, now the Ottawa, Northern and Western Railway, not exceeding one-quarter of a mile; in lieu of any balance of mileage subsidized by items 12 and 39 respectively of section 2 of chapter 7 of 1899.

14. To the International Railway Company of New Brunswick (formerly the Restigouche and Western Railway Company), for a line of railway from the western end of the ten miles of its railway, as already constructed from Campbellton towards a point on the St. John River between Grand Falls and Edmundston, not exceeding 67 miles, being a revote, and in lieu of subsidies granted by chapter 4 of 1897, item 42 of section 2 of chapter 7 of 1899, and item 22 of section 2 of chapter 8 of 1900.

15. For a line of railway from Woodstock to the International Boundary, not exceeding 26 miles, being a revote of the subsidy granted by chapter 4 of 1894.

16. To the St. John Valley Railway Company, for a line of railway from a point on the Canadian Pacific Railway at or near Welsford or Westfield, or between the said two points, to Gagetown, not exceeding 30 miles, being a revote of the subsidy granted by chapter 4 of 1897.

17. To the Shédiac and Coast Railway Company, for a line of railway from Shédiac to Shemogue and towards Cape Tormentine, in Westmoreland County, not exceeding 38 miles, in lieu of the subsidy granted by item 25 of section 2 of chapter 8 of 1900.

18. To the Mabou and Gulf Railway Company, Limited, for a line of railway from Mabou Coal Mines to a point at or near Glendyer, thence to Orangedale on the Intercolonial Railway, not exceeding 34 miles, a revote of the subsidy granted by chapter 4 of 1894, and in substitution of the 25 miles subsidized thereby from Orangedale to Broad Cove.

19. To the Nova Scotia Eastern Railway Company, Limited, for a line of railway from New Glasgow to Cross Roads, Country Harbour, thence to the town of Guysborough, and thence to the Strait of Canso; with a branch from Cross Roads, Country Harbour, aforesaid, down the Country Harbour River to the Deep Waters thereof, not exceeding 116 miles; in lieu of subsidies for 40 and 80 miles granted by items 4 and 1, respectively, of section 2 of chapter 7 of 1901.

20. For a line of railway from Debert Station on the Intercolonial Railway to Debert Coal Mine, not exceeding  $4\frac{1}{2}$  miles, in lieu of the subsidy granted by item 29 of section 2 of chapter 8 of 1900.

21. For a line of railway from a point on the Joggins Railway near River Hebert Railway Bridge to the village of Minudie, not exceeding 6 miles, being a revote and in substitution of subsidy granted by chapter 4 of 1894.

22. To the Middleton and Victoria Beach Railway Company, Limited, for a line of railway from Victoria Beach to Middleton, not exceeding 41 miles, in lieu of subsidies granted by item 28 of section 2 of chapter 8 of 1900, and by item 21 of section 2 of chapter 7 of 1901.

23. To the Halifax and South-western Railway Company, for the following lines of railway :—

(a.) A line of railway from a point at or near Halifax to a point on the Central Railway at or near Mahone Bay, not exceeding 68 miles.

(b.) A line of railway from a point on the Central Railway at or near Bridgewater towards Barrington Passage, not exceeding 77 miles.

(c.) A line of railway from a point at or near New Germany on the Central Railway to a point at or near Caledonia, not exceeding 22 miles.

(d.) A line of railway from a point at or near Caledonia, to Liverpool, not exceeding 29 miles.

The subsidies to the said lines of railway being granted in lieu of subsidies granted by items 17, 18, 35 and 36 of section 2 of chapter 7 of 1899, by items 26 and 40 of section 2 of chapter 8 of 1900, and items 5 and 23 of section 2 of chapter 7 of 1901, respectively.

24. To the Inverness Railway and Coal Company, formerly the Inverness and Richmond Railway Company, Limited, for 8 miles of railway between Point Tupper and Broad Cove ; and for a line of railway not exceeding 37 miles, from Cheticamp to a point on the line already built between Broad Cove and Point Tupper, being a revote and in substitution of the subsidy granted by chapter 4 of 1897.

25. For a line of railway from a point at or near Wolfville on the Dominion Atlantic Railway to the Government pier on the Basin of Minas, not exceeding one mile, in lieu of the subsidy granted by item 19 of section 2 of chapter 7 of 1901.

26. To the Nicola, Kamloops and Similkameen Coal and Railway Company, for a line of railway from a point at or near Spence's Bridge on the Canadian Pacific Railway to Nicola Lake, not exceeding 45 miles, being a revote of subsidies granted by chapter 5 of 1892 and chapter 4 of 1894.

27. For a line of railway from Winnipeg Beach or Teulon to a point on Icelandic River, by way of Gimli, not exceeding 35 miles, in lieu of the subsidy granted by item 26 of section 2 of chapter 7 of 1901.

28. To the Edmonton, Yukon and Pacific Railway Company, for a line of railway from the town of Strathcona to Edmonton, and thence westerly towards the Yellow Head Pass, a distance not exceeding 50 miles, in lieu of the subsidy granted by item 41 of section 2 of chapter 7 of 1899.

29. To the St. John Valley and Rivière du Loup Railway Company, for a line of railway from Fredericton to Woodstock, not exceeding 59 miles, in lieu of the subsidy granted by item 5 of section 2 of chapter 7 of 1899.

30. For a line of railway from Hawkesbury, Ontario, to South Indian, not exceeding 35 miles, in lieu of the subsidy granted by item 22 of section 2 of chapter 7 of 1899.

31. To the Tilsonburg, Lake Erie and Pacific Railway Company, for a line of railway from Woodstock northerly to a point on the Grand Trunk Railway at Berlin, or from Ingersoll to Stratford, or to any point on the Grand Trunk Railway between these places, not exceeding 35 miles, being in addition to and continuation of the 9 miles mentioned in item 1 of this section.

32. To the Irondale, Bancroft and Ottawa Railway Company, for a line of railway from the present terminus of its railway, near Baptiste, easterly to a point at or near Renfrew, not exceeding 75 miles.

33. To the Nepigon Railway Company, for a line of railway from Lake Superior to Lake Nepigon, and from a point on the north shore of Lake Nepigon northerly, not exceeding 80 miles.

34. To the Manitoulin and North Shore Railway Company, for a line of railway from Little Current on its present line, to Sudbury, and thence towards the main line of the Canadian Pacific Railway Company, not exceeding 30 miles, in lieu of the subsidy for 21 miles granted by item 38 of section 2 of chapter 7 of 1899.

35. To the Thunder Bay, Nepigon and St. Joe Railway Company, for a line of railway from Port Arthur north-easterly, not exceeding 50 miles.

36. To the Timagami Railway Company, for a line of railway from a point at or near Sturgeon Falls in a north-westerly direction to a point on the westerly shore of Lake Timagami in the district of Nipissing, not exceeding 50 miles.

37. To the Bay of Quinté Railway Company, for further extension of its line of railway, from the northern terminus thereof, commencing from a point at or near Actinolite, thence in a north-westerly direction, via the villages of Queensboro' and Bannockburn, to a point in the township of Marmora or Lake in Hastings County, not exceeding 20 miles in all.

38. To the Bruce Mines and Algoma Railway Company, for 21 miles from the end of its line, as subsidized by chapter 7 of 1901, northward, not exceeding 21 miles.

39. To the James Bay Railway Company, for a line of railway from Toronto, via the east side of Lake Simcoe, to a point at, near, or beyond Sudbury, through Parry Sound, not exceeding 265 miles, in lieu of two subsidies granted by chapter 8 of



1900, for 35 and 20 miles, respectively, from Parry Sound towards James Bay.

40. To the Quebec and Lake St. John Railway Company, for one mile of railway from Roberval to the Government wharf at Lake St. John.

41. To the Montfort and Gatineau Colonization Railway Company, for the extension of its line of railway from Morin Flats to St. Jerome, to connect with the Great Northern Railway, not exceeding 22 miles.

42. To the Interprovincial and James Bay Railway Company, for a line of railway from Lake Timiskaming at the present terminus of the Canadian Pacific Railway line, in a northerly direction, not to exceed 50 miles.

43. For a line of railway from Waltham Station to Ferguson Point, in the county of Pontiac, not exceeding 20 miles.

44. For a line of railway from Lake Nominigue to Le Lièvre, not exceeding 35 miles.

45. For a line of railway in extension of the line from Lime Ridge into the county of Megantic to the bridge over the St. Lawrence at or near Quebec, not exceeding 30 miles.

46. To the Quebec Central Railway Company, for an extension of its line of railway from St. François to St. George, not exceeding 9 miles; also for a railway from Scott Junction to the Quebec bridge, not exceeding 22 miles.

47. For a line of railway from the station of Lac Bouchette on the Quebec and Lake St. John Railway to St. André, not exceeding 13 miles.

48. For a line of railway from Quebec towards Seven Islands, including branches to Murray Bay and Baie St. Paul, not exceeding 200 miles.

49. For a branch line from a point at or near the intersection of the Canadian Pacific Railway and the Great Northern Railway between St. Philippe d'Argenteuil and Lachute, thence in a northerly direction, passing through the village of Brownsburg, not exceeding 3 miles.

50. To the Orford Mountain Railway Company, for a line of railway from a point on its main line between Lawrenceville and Eastman to Lake Bonella, 5 miles; from Kingsbury to Windsor Mills, 10 miles; and from Eastman to the town line between the township of Bolton, east part, and the township of Potton, 12 miles—not exceeding in the whole 27 miles.

51. To the Atlantic, Quebec and Western Railway Company, for a line of railway from Gaspé to a point at or near Causapsca on the Intercolonial Railway, and from that point to Edmundston, not exceeding 260 miles; and for a line of railway from Paspébiac to Gaspé as near the shore as practicable, not exceeding 102 miles.

52. For a line of railway, in addition to and in extension of the line mentioned in item 11 of this section, from Roberval towards James Bay, not exceeding 40 miles.

53. For a branch line from a point near the bridge at Trois Pistoles River on the Intercolonial Railway in a south-easterly direction



direction to Mackenzie and Renouf Falls, on the Trois Pistoles River, not exceeding  $2\frac{1}{2}$  miles.

54. To the Matane and Gaspé Railway Company, for a line of railway from a point at or near St. Octave on the Intercolonial Railway to Matane, not exceeding 30 miles.

55. To the Chateauguay and Northern Railway Company, for a line of railway from a point on its main line at or near L'Epiphanie, passing by way of the parish of St. Jacques de l'Achigan to the village of Rawdon, not exceeding 16 miles.

56. For a line of railway from the line of the Montreal and Atlantic Railway Company at St. Guillaume to the River Yamaska to join with the South Shore Railway, a distance not exceeding 12 miles.

57. For a line of railway from La Tuque on the St. Maurice River to a point on the Lake St. John Railway near the River Jeannotte, not exceeding 35 miles.

58. To the Montreal Northern Railway Company, for a line of railway from a point at or near Ste. Agathe des Monts station towards the township of Howard, in the county of Argen-teuil, passing near Lakes St. Joseph and Ste. Marie, in a southerly direction, a distance not exceeding 15 miles.

59. To the International Railway Company of New Brunswick, for a line of railway, in addition to and in extension of the line of 67 miles mentioned in item 14 of this section, to a point on the St. John River between Grand Falls and Edmundston, not exceeding 33 miles.

60. To the Beersville Coal and Railway Company, for a line of railway from Adamsville on the Intercolonial Railway to a point at or near Brown's Landing or Beersville, not exceeding 7 miles.

61. To the York and Carleton Railway Company, for a line of railway from its present terminus westerly, not exceeding 5 miles.

62. To the Mabou and Gulf Railway Company, Limited, for a line of railway from a point on the Intercolonial Railway at or near Mines Road Station to the wharf at Caribou Cove, not exceeding 4 miles, being in addition to subsidy mentioned in item 18 of this section.

63. To the Nova Scotia Eastern Railway Company, Limited, for a line of railway from Dartmouth through the Musquodoboit Valley to a point at or near Melrose to connect there with the railway mentioned in item 19 of this section, not exceeding 120 miles.

64. To the Midland Railway Company, Limited, for a line of railway from Truro northerly towards Brule, not exceeding 34 miles.

65. For a line of railway from St. Peters to Louisbourg, not exceeding 50 miles.

66. To the Kootenay Central Railway Company, for a line of railway from Golden to the International Boundary Line, via Windermere and Fort Steele, and crossing the Crow's Nest Railway at or near Elko, not exceeding 186 miles.

67. To the Kettle River Valley Railway Company, for a line of railway from Grand Forks to a point 50 miles up the North Fork and West Fork of the North Fork of Kettle River, not exceeding 50 miles.

68. For a line of railway from Wellington to Union Bay, not exceeding 55 miles.

69. For a line of railway from Midway to Vernon, not exceeding 150 miles.

70. To the St. Mary's River Railway Company, for a line of railway from Spring Coulee, crossing St. Mary's River to Cardston, 16 miles, and from a point on this line to or near the intake of the irrigation canal, about 16 miles, in all not exceeding 32 miles.

71. For a line of railway from Dawson to Stewart River, passing at or near Grand Forks, not exceeding 84 miles.

72. To the Canadian Pacific Railway Company, for a branch line from a point on the main line between Moosomin and Elkhorn, north-westerly to a point in the neighbourhood of the Pheasant Hills, not exceeding 136 miles.

73. For a line of railway from a point at or near Medicine Hat on the Canadian Pacific Railway to the coal fields in or near townships 12 and 13, range 6, west of the fourth principal meridian, not exceeding 8 miles.

74. To the Great Northern Railway of Canada, for a line of railway from Garneau Junction to the Quebec bridge, not exceeding 70 miles.

75. To the Halifax and South-western Railway Company, for a line of railway to Barrington Passage, in addition to and in continuation of the 77 miles mentioned in paragraph (b) of item 23 of this section, not exceeding 35 miles.

76. To the Lake Superior, Long Lake and Albany Railway Company, for a line of railway from Peninsula Harbour in a northerly direction, not exceeding 10 miles.

77. To the Cumberland Railway and Coal Company, for a line of railway from Parrsboro' Station to Riverside Wharf, not exceeding 1 mile.

78. To the Indian River Railway Company, for a line of railway from a point at or near the north end of Lake Megantic, thence southerly along the said lake to a point on the International Boundary, not exceeding 19 miles.

Subsidies for  
bridges.

3. The Governor in Council may grant the subsidies hereinafter mentioned towards the construction of the bridges also hereinafter mentioned, that is to say:—

1. Towards the construction and completion of a railway bridge and approaches over the Nicolet River at Nicolet, in lieu of the grant under item 39 of section 2 of chapter 8 of 1900, \$15,000.

2. Towards the construction of the steel superstructure of a railway bridge on the St. Francis River, in the county of Yamaska, in lieu of the grant under item 38 of section 2 of chapter 8 of 1900, but subject to the same conditions as expressed

therein, payable to the Canadian Bridge Company of Walkerville, as their claim may appear for work already done on the said bridge, \$50,000.

3. To the Canadian Bridge Company of Walkerville, to strengthen and complete the foundation and approaches to the bridge over the St. Francis River subsidized in favour of the South Shore Railway Company by section 3 of chapter 7 of 1899, \$35,000, which amount shall remain the first charge on the road, and shall be recouped to the Treasury out of subsidies earned or to be earned, \$35,000.

4. To the Chateauguay and Northern Railway Company, in addition to the subsidy for the Bout de l'Ile bridge granted by item 33 of section 2 of chapter 8 of 1900, \$50,000.

4. The subsidies hereby authorized towards the construction of any railway or bridge shall be payable out of the Consolidated Revenue Fund of Canada, and may, unless otherwise expressly provided in this Act, at the option of the Governor in Council, on the report of the Minister of Railways and Canals, be paid as follows:—

How subsidies shall be paid.

(a.) upon the completion of the work subsidized; or

(b.) by instalments, on the completion of each ten-mile section of the railway, in the proportion which the cost of such completed section bears to that of the whole work undertaken; or

(c.) upon the progress estimates on the certificate of the Chief Engineer of the Department of Railways and Canals, that, in his opinion, having regard to the whole work undertaken and the aid granted, the progress made justifies the payment of a sum not less than thirty thousand dollars; or

(d.) with respect to (b) and (c), part one way, part the other.

5. The subsidies hereinbefore authorized to be granted to companies named shall, if granted by the Governor in Council, be granted to such companies respectively; the other subsidies may be granted to such companies as establish to the satisfaction of the Governor in Council their ability to construct and complete the said railways and bridges respectively; all the lines and bridges for the construction of which subsidies are granted, unless they are already commenced, shall be commenced within two years from the first day of August, 1903, and completed within a reasonable time, not to exceed four years from the said first day of August, to be fixed by the Governor in Council, and shall also be constructed according to descriptions, conditions and specifications approved by the Governor in Council on the report of the Minister of Railways and Canals, and specified in each case in a contract between the Company and the said Minister, which contract the Minister, with the approval of the Governor in Council, is hereby empowered to make. The location also of such subsidized lines and bridges shall be subject to the approval of the Governor in Council.

Conditions.



As to running powers.

6. The granting of such subsidies, and the receipt thereof by the respective companies, shall be subject to the condition that the Governor in Council may at all times provide and secure to other companies such running powers, traffic arrangements and other rights, as will afford to all railways connecting with the railways and bridges so subsidized, reasonable and proper facilities in exercising such running powers, fair and reasonable traffic arrangements with connecting companies, and equal mileage rates between all such connecting railways; and the Governor in Council shall have absolute control, at all times, over the rates and tolls to be levied and taken by any of the companies, or upon any of the railways and bridges hereby subsidized.

Transportation of Government supplies, etc.

7. Every company receiving a subsidy under this Act, its successors and assigns, and any person or company controlling or operating the railway or portion of railway subsidized under this Act, shall each year furnish to the Government of Canada transportation for men, supplies, materials and mails over the portion of the line in respect of which it has received such subsidy, and whenever required, shall furnish mail cars properly equipped for such mail service; and such transportation and service shall be performed at such rates as are agreed upon between the minister of the department of the Government for which such service is being performed and the company performing it, and, in case of disagreement, then at such rates as are approved by the Governor in Council; and in or towards payment for such charges the Government of Canada shall be credited by the company with a sum equal to three per cent per annum on the amount of the subsidy received by the company under this Act.

Production of accounts.

8. As respects all railways and bridges for which subsidies are granted by this Act, the company at any time owning or operating any of the railways shall, when required, produce and exhibit to the Minister of Railways and Canals, or any person appointed by him, all books, accounts and vouchers, showing the cost of constructing the railway or bridge, the cost of operating it, and the earnings thereof.

As to Canadian steel rails.

9. The Governor in Council may make it a condition of the grant of the subsidies herein provided, or any heretofore authorized by any Act of Parliament as to which a contract has not yet been entered into with the company for the construction of the railway, that the company shall lay its road with new steel rails, made in Canada, if they are procurable in Canada of suitable quality, upon terms as favourable as other rails can be obtained, of which the Minister of Railways and Canals shall be the judge.



CHAP. 58.

THE RAILWAY ACT, 1903.

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## 3 EDWARD VII.

### CHAP. 58.

An Act to amend and consolidate the law respecting  
Railways.

[Assented to 24th October, 1903.]

HIS Majesty, by and with the advice and consent of the  
Senate and House of Commons of Canada, enacts as  
follows :—

#### I.—SHORT TITLE.

1. This Act may be cited as *The Railway Act, 1903.* Short title.

#### II.—INTERPRETATION.

2. In this Act, and in the Special Act incorporating any railway company to which this Act, or any part thereof, applies, unless the context otherwise requires,—

(a.) The expression “Board” means the “Board of Railway Commissioners for Canada”; Interpreta-  
tion.

(b.) The expression “by-law,” when referring to the act of the company, includes a resolution; “Board.”

(c.) The expression “company” means a railway company, and includes any person having authority to construct or operate a railway; “Company.”

(d.) The expression “costs” includes fees, counsel fees, and expenses; “Costs.”

(e.) The expression “county” includes any county, union of counties, riding, or like division to that of a county in any province, or in the province of Quebec, any division thereof into separate municipalities; “County.”

(f.) The expression “court” means a superior court of the province or district; “Court.”

(g.) The expression “Exchequer Court” means the Exchequer Court of Canada. “Exchequer  
Court.”

(h.) The expression “goods” includes personal property of every description that may be conveyed upon the railway, or upon steam vessels, or other vessels connected with the railway; “Goods.”

- “Highway.” (i.) The expression “highway” includes any public road, street, lane or other public way or communication ;
- “Inspecting engineer.” (j.) The expression “inspecting engineer” means an engineer who is directed by the Board, or by the Minister, to examine any railway or works, and includes two or more engineers when two or more are so directed ;
- “Judge.” (k.) The expression “judge” means a judge of a superior court ;
- “Justice.” (l.) The expression “justice” means a justice of the peace acting for the district, county, riding, division, city or place where the matter requiring the cognizance of a justice arises, and who is not interested in the matter ; and when any matter is authorized or required to be done by two justices, the expression “two justices” shall be understood to mean two justices assembled and acting together ;
- “Lands.” (m.) The expression “lands” means the lands, the acquiring, taking or using of which is incident to the exercise of the powers given by this or the Special Act, and includes real property, messuages, lands, tenements and hereditaments of any tenure ;
- “Lease.” (n.) The expression “lease” includes an agreement for a lease ;
- “Minister.” (o.) The expression “Minister” means the Minister of Railways and Canals ;
- “Owner.” (p.) The expression “owner,” when, under the provisions of this Act or the special Act, any notice is required to be given to the owner of any lands, or when any act is authorized or required to be done with the consent of the owner, means any person who, under the provisions of this Act, or the Special Act or any Act, incorporated therewith, would be enabled to sell and convey lands to the company ;
- “Plan.” (q.) The expression “plan” means a ground plan of the lands and property taken or intended to be taken ;
- “Provincial legislature.” (r.) The expression “legislature of any province” or “provincial legislature” means and includes any legislative body other than the Parliament of Canada ;
- “Railway.” (s.) The expression “railway” means any railway which the company has authority to construct or operate, and includes all branches, sidings, stations, depots, wharfs, rolling stock, equipment, stores, property real or personal and works connected therewith, and also any railway bridge, tunnel, or other structure which the company is authorized to construct ;
- “Rolling stock.” (t.) The expression “rolling stock” means and includes any locomotive, engine, motor car, tender, snow plough, flanger, and every description of car or of railway equipment designed for movement, on its wheels, over or upon the rails or tracks of the company ;
- “Secretary.” (u.) The expression “Secretary” means the Secretary of the Board ;
- “Sheriff.” (v.) The expression “sheriff” means the sheriff of the district, county, riding, division, city or place within which are situated any lands in relation to which any matter is required

to be done by a sheriff, and includes an under sheriff or other lawful deputy of the sheriff;

(w.) The expression "Special Act" means any Act under which the company has authority to construct or operate a railway, or which is enacted with special reference to such railway, and includes all such Acts; and where such authority is derived from any letters patent granted under any Act, such letters patent shall be deemed to form part of such Act; "Special Act."

(x.) The expression "toll" or "rate" means and includes any toll, rate or charge made for the carriage of any traffic, or for the collection, loading, unloading or delivery of goods, or for warehousing or wharfage, or other services incidental to the business of a carrier; "Toll."

(y.) The verb "charge," when used with respect to tolls, means and includes to quote, charge, demand, levy, take or receive; "Charge."

(z.) The expression "traffic" means and includes passengers, goods and rolling stock; "Traffic."

(aa.) The expression "train" includes any engine, locomotive or other rolling stock; "Train."

(bb.) The expression "the undertaking" means the railway and works, of whatsoever description, which the company has authority to construct or operate; "Undertaking."

(cc.) The expression "working expenditure" means and includes all expenses of maintenance of the railway, and all such tolls, rents or annual sums as are paid in respect of property leased to or held by the company, apart from the rent of any leased line, or in respect of the hire of rolling stock let to the company; also all rent charges or interest on the purchase money of lands belonging to the company, purchased but not paid for, or not fully paid for; and also all expenses of or incidental to working the railway, and the traffic thereon, including all necessary repairs and supplies to rolling stock while on the lines of another company; also rates, taxes, insurance and compensation for accidents or losses; also, all salaries and wages of persons employed in and about the working of the railway and traffic; and all office and management expenses, including directors' fees, agency, legal and other like expenses; also all costs and expenses of and incidental to the compliance by the company with any order of the Board under this Act; and generally all such charges, if any, not above otherwise specified, as in all cases of English railway companies are usually carried to the debit of revenue as distinguished from capital account; "Working expenditure."

(dd.) When any matter arises in respect of any lands which are not situated wholly in any one district, county, riding, division, city or place, and which are the property of one and the same person, the expressions "clerk of the peace," "justice," and "sheriff" respectively mean any clerk of the peace, justice or sheriff for any district, county, riding, division, city or place within which any portion of such lands is situated; and the expressions "clerk of the peace" and "sheriff" When lands not situate wholly in one district.



"sheriff" respectively include the like persons as in other cases. 51 V., c. 29, s. 2, Am.

Provisions to apply to this section.

2. The provisions of this section shall apply to the construction thereof, and to the words and expressions used therein.

### III.—APPLICATION OF ACT.

Application of Act.

3. This Act shall apply to all persons, companies and railways (other than Government railways) within the legislative authority of the Parliament of Canada, and shall be incorporated and construed, as one Act, with the Special Act, subject as herein provided. 51 V., c. 29, s. 3, Am.

Any section may be excepted by Special Act.

4. Any section of this Act may, by any Special Act passed by the Parliament of Canada, be excepted from incorporation therewith, or may thereby be extended, limited or qualified. It shall be sufficient, for the purposes of this section, to refer to any section of this Act by its number merely.

Or may be extended, limited or qualified.

As to exceptions, etc., previous to this Act.

Conflict between this Act and Special Act.

5. If in any Special Act heretofore passed by the Parliament of Canada it is enacted that any provision of the General Railway Act in force at the time of the passing of such Special Act, is excepted from incorporation therewith, or if the application of any such provision is, by such Special Act, extended, limited or qualified, the corresponding provision of this Act shall be taken to be excepted, extended, limited or qualified, in like manner; and, unless otherwise expressly provided in this Act, where the provisions of this Act and of any Special Act passed by the Parliament of Canada relate to the same subject-matter, the provisions of the Special Act shall be taken to over-ride the provisions of this Act in so far as is necessary to give effect to such Special Act. 51 V., c. 29, ss. 5 and 6, Am.

Where railway declared to be work for general advantage of Canada.

6. Where any railway, the construction or operation of which is authorized by a Special Act passed by the Legislature of any province, is declared, by any Special Act of the Parliament of Canada, to be a work for the general advantage of Canada, this Act shall apply to such railway, and to the company constructing or operating the same, to the exclusion of such of the provisions of the Special Act of the Provincial Legislature as are inconsistent with this Act, and in lieu of any General Railway Act of the province.

7. Every railway, steam or electric street railway or tramway, the construction or operation of which is authorized by a Special Act passed by the Legislature of any province, now or hereafter connecting with or crossing a railway which, at the time of such connection or crossing, is subject to the legislative authority of the Parliament of Canada, is hereby declared to be a work for the general advantage of Canada in respect only to such connection or crossing or to through traffic thereon or



anything appertaining thereto, and also to the provisions set forth in this Act relating to offences and penalties, navigable waters and criminal matters, and this Act shall apply to that extent only.

2. This section shall not, however, operate as regards through traffic on railways owned by any Provincial Government, without the consent of such government.

#### IV.—COMMISSION.

##### *Name, Constitution, Duties, etc.*

8. The Railway Committee of the Privy Council is hereby abolished and, in lieu thereof, there shall be a Commission, to be known as the "Board of Railway Commissioners for Canada," consisting of three members who shall be appointed by the Governor in Council, at any time after the passing of this Act, and from time to time as vacancies occur. Such Commission shall be a Court of Record, and have an official seal which shall be judicially noticed. Each Commissioner shall hold office during good behaviour for a period of ten years from the date of his appointment, but may be removed at any time by the Governor in Council for cause; and shall cease to hold office upon reaching the age of seventy-five years. Each Commissioner on the expiration of his term of office shall be eligible for reappointment. One of such Commissioners shall be appointed, by the Governor in Council, Chief Commissioner of the Board, and shall be entitled to hold the office of Chief Commissioner so long as he continues a member of the Board; and another of the Commissioners shall be appointed by the Governor in Council, Deputy Chief Commissioner of the Board. Sub. for 51 V., c. 29, s. 8.

2. Whenever by an Act or document the Railway Committee of the Privy Council is given any power or authority, or any duty is cast upon it, in regard to any company, railway, matter or thing, the power or authority so given, or the duty so cast upon the said Committee, may or shall, as the case may be, be exercised by the Board.

9. In case of the absence of the Chief Commissioner, or of his inability to act, the Deputy Chief Commissioner shall exercise the powers of the Chief Commissioner in his stead; and in such case all regulations, orders and other documents signed by the Deputy Chief Commissioner shall have the like force and effect as if signed by the Chief Commissioner. Whenever the Deputy Chief Commissioner appears to have acted for and instead of the Chief Commissioner, it shall be conclusively presumed that he so acted in the absence or disability of the Chief Commissioner within the meaning of this section.

10. Not less than two Commissioners shall attend at the hearing of every case, and the Chief Commissioner, when present,

## Exception.

sent, shall preside, and his opinion upon any question, which in the opinion of the Commissioners is a question of law, shall prevail. In any case where there is no opposing party, and no notice to be given to any interested party, any one Commissioner may act alone for the Board.

Interest,  
kindred or  
affinity not a  
disqualifica-  
tion.

Appointments  
*pro hac vice*.

Commission-  
ers not to hold  
railway stock,  
etc.

**11.** No Commissioner shall be disqualified to act, by reason of interest, or of kindred or affinity to any person interested in any matter before the Board; but whenever any Commissioner is interested or of kin or affinity to any such person, the Governor in Council may either upon the application of such Commissioner or otherwise, appoint some disinterested person to act as Commissioner *pro hac vice*. The Governor in Council may also appoint a Commissioner *pro hac vice* in the case of sickness, absence or inability to act, of any Commissioner.

**2.** No Commissioner shall, directly or indirectly, hold, purchase, take or become interested in, for his own behalf, any stock, share, bond, debenture or other security, of any railway company subject to this Act, nor shall, directly or indirectly, have any interest in any device, appliance, machine, patented process or article, or any part thereof, which may be required or used as a part of the equipment of railways, or of any rolling stock to be used thereon; and, if any such stock, share, bond or other security, device, appliance, machine, patented process or article, or any part thereof, or any interest therein, shall come to or vest in any such Commissioner by will or succession, for his own benefit, he shall, within three calendar months after the same shall so come to or vest in him, absolutely sell and dispose of the same, or his interest therein.

## Residence.

**12.** Each Commissioner shall during his term of office reside at Ottawa, in Canada, or within five miles thereof, or within such distance thereof as the Governor in Council at any time determines.

## Duty of Board

**13.** The Commissioners shall devote the whole of their time to the performance of their duties under this Act, and shall not accept or hold any office or employment inconsistent with this section.

Offices at  
Ottawa.

**14.** The Governor in Council, upon the recommendation of the Minister, shall provide, within the city of Ottawa, a suitable place in which the sessions of the Board may be held, and also suitable offices for the Commissioners, Secretary, staff, and other employees, and all necessary furnishings, stationery and equipment for the establishment, conduct and maintenance of the same, and for the performance of the duties of the Board.

Sessions of  
Board outside  
of Ottawa.

**15.** Whenever circumstances render it expedient to hold sessions without the city of Ottawa, the Board may hold the same in any part of Canada.

**16.** The Commissioners shall sit at such times and conduct their proceedings in such manner as may seem to them most convenient for the speedy despatch of business; they may, subject as in this Act mentioned, sit either together or separately, and either in private or in open court, but any complaint made to them shall, on the application of any party to the complaint, be heard and determined in open court. Any two members of the Board shall constitute a quorum. No vacancy in their body shall impair the right of the remaining Commissioners to act.

Sittings, how conducted.

**17.** There shall be a Secretary of the Board, who shall be appointed by the Governor in Council, shall hold office during pleasure, and shall reside in the city of Ottawa. It shall be the duty of the Secretary to attend all sessions of the Board, to keep a record of all proceedings conducted before the Board or any Commissioner under this Act, to have the custody and care of all records and documents belonging or appertaining thereto, or filed in his office, and to obey all rules and directions which may be made or given by the Board touching his duties or the governance of his office. Sub. for 51 V., c. 29, s. 9.

Secretary.

Duties of Secretary.

**18.** It shall be the duty of the Secretary to have every regulation and order made by the Board, drawn pursuant to the direction of the Board, signed by the Chief Commissioner, sealed with the official seal of the Board, and filed in the office of the Secretary.

Regulations and orders of the Board.

**2.** The Secretary shall keep in his office suitable books of record, in which he shall enter a true copy of every such regulation and order and every other document which the Board may require to be entered therein, and such entry shall constitute and be, and in all courts be deemed and taken to be, the original record of any such regulation or order.

Record books.

Evidence.

**3.** Upon application of any person, and on payment of such fees as the Board may prescribe, the Secretary shall deliver to such applicant a certified copy of any such regulation or order.

Certified copies of regulations or orders.

**19.** In the absence of the Secretary from sickness or any other cause, the Board may appoint from its staff an Acting Secretary, who shall thereupon act in the place of the Secretary, and exercise his powers.

Acting Secretary.

**20.** The Chief Commissioner shall be paid an annual salary of ten thousand dollars, and the other two Commissioners shall be paid each the annual salary of eight thousand dollars. The Secretary shall receive a salary to be fixed by the Governor in Council, not more than four thousand dollars, annually. Such salaries shall be paid monthly out of the unappropriated funds in the hands of the Receiver General for Canada.

Salaries.

**21.** The Governor in Council may from time to time, or as the occasion requires, appoint one or more experts, or persons

Experts.



having technical or special knowledge of the matters in question, to assist in an advisory capacity in respect of any matter before the Board.

Staff of Board. 2. There shall be attached to the Board such officers, clerks, stenographers and messengers, as the Board, with the approval of the Governor in Council, from time to time appoints, at such salaries or remunerations as are recommended by the Board and approved by Governor in Council. The Board may, at will, dismiss any such employee.

Salaries. Payment of appointee to make inquiry. 3. Whenever the Board, by virtue of any power vested in it by this Act, appoints or directs any person, other than a member of the staff of the Board, to perform any service required by this Act, such person shall be paid therefor such sum for services and expenses as the Governor in Council upon the recommendation of the Board, may, in such cases, determine.

Salaries and expenses of staff, &c., how to be paid. 4. The salaries or remunerations of all such officers, clerks, stenographers, messengers, and appointees, and all the expenses of the Board of, and incidental to, the carrying out of this Act, including all actual and reasonable travelling expenses of the Commissioners, Secretary, and of such appointees or members of the staff of the Board as may be required by the Board, to travel, necessarily incurred in attending to the duties of their office, shall be paid monthly out of moneys to be provided by Parliament.

Correspondence free of postage. 22. All letters or mailable matter addressed to the Board or the Secretary at Ottawa, or sent by the Board or the Secretary from Ottawa, shall be free of Canada postage under such regulations as are from time to time made in that regard by the Governor in Council.

### *Jurisdiction and General Powers.*

Jurisdiction of Board upon application. 23. The Board shall have full jurisdiction to inquire into, hear and determine any application by or on behalf of any party interested ;

Neglect of duties under any act, regulation or order. (a.) complaining that the company, or any person, has failed to do any act, matter or thing required to be done by this Act, or the Special Act, or by any regulation, order or direction made thereunder, by the Governor in Council, the Board, the Minister, or any inspecting engineer, or has done or is doing any act, matter or thing contrary to, or in violation of, this Act, or the Special Act, or any such regulation, order, or direction ;

Violations. (b.) requesting the Board to make any order, or give any direction, sanction or approval, which by law it is authorized to make or give :

Giving orders, directions or approval.

Mandatory order. And the Board may order and require any company or person to do forthwith, or within or at any specified time, and in any manner prescribed by the Board, so far as is not inconsistent with this Act, any act, matter or thing which such company or person is or may be required to do under this Act,



or the Special Act, and may forbid the doing or continuing of any act, matter or thing which is contrary to this Act, or the Special Act; and shall have full jurisdiction to hear and determine all matters whether of law or of fact, and shall, as respects the attendance and examination of witnesses, the production and inspection of documents, the enforcement of its orders, the entry on and inspection of property, and other matters necessary or proper for the due exercise of its jurisdiction under this Act, or otherwise for carrying this Act into effect, have all such powers, rights and privileges as are vested in a Superior Court.

Injunction order.

Questions of law and fact.

All powers of a Superior Court.

2. The decision of the Board upon any question of fact, and as to whether any company, municipality or person is, or is not, a party interested within the meaning of this section, shall be binding and conclusive upon all companies and persons, and in all courts. Sub. for 51 V., c. 29, s. 11.

Decision upon questions of fact or whether party is interested conclusive.

24. The Board may, of its own motion, or shall, upon the request of the Minister, inquire into, hear and determine any matter or thing which, under this Act, it may inquire into, hear and determine upon application or complaint, and with respect thereto shall have and may exercise the same powers as, upon any application or complaint, are vested in it by this Act.

Board may act upon its own motion.

2. Any power, or authority vested in the Board under this Act, may though not so expressed in this Act, be exercised from time to time, or at any time, as the occasion may require.

Power to act from time to time.

25. The Board may make orders and regulations:—

(a.) limiting the rate of speed at which railway trains and locomotives may be run in any city, town or village, or in any class of cities, towns or villages described in any regulation; and, if the Board thinks fit, the rate of speed within certain described portions of any city, town or village, and allowing another rate of speed in other portions thereof;

Board may make regulations respecting—

Speed of trains.

(b.) with respect to the use of the steam whistle within any city, town or village, or any portion thereof;

Use of steam whistle.

(c.) with respect to the method and means of passing from one car to another, either inside or overhead, and for the safety of railway employees while passing from one car to another, and for the coupling of cars; 51 V., c. 29, s. 10, Am.

Passing from car to car.

Coupling of cars.

(d.) requiring proper shelter to be provided for all railway employees when on duty; 57-58 V., c. 53, s. 1, Am.

Shelter for employees.

(e.) with respect to the use on any engine, of nettings, screens, grates and other devices, and the use on any engine or car of any appliances and precautions, and, generally, in connection with the railway respecting the construction, use and maintenance of any fire-guard or works which may be deemed by the Board necessary and most suitable to prevent, as far as possible, fires from being started, or occurring, upon, along, or near the right of way of the railway;

Devices to avoid fires.

For protection generally.

(f.) with respect to the rolling stock, apparatus, cattle-guards, appliances, signals, methods, devices, structures and works, to be used upon the railway so as to provide means for the due protection of property, the employees of the company, and the public ;

Other matters.

(g.) with respect to any matter, act or thing which by this or the Special Act is sanctioned, required to be done, or prohibited.

Application of orders.

2. Any such orders or regulations may be made to apply to any particular district, or any railway, or section, or portion thereof, and the Board may exempt any railway, or portion thereof, from the operation of any such order or regulation, for such time, or during such period, as the Board deems expedient.

Penalties.

3. The Board may provide penalties, when not already provided in this Act, to which every company or person who offends against any regulation made under this section shall be liable, which shall not exceed one hundred dollars for each offence, and shall be recoverable on summary conviction. The imposition of any such penalty shall not lessen or affect any other liability which any company or person may have incurred. 51 V., c. 29, s. 10, 1 and 2, Am.

Power to review, etc.

4. The Board may review, rescind, change, alter or vary any rule, regulation, order or decision made by it, whether previously published or not. 51 V., c. 29, s. 18, Am.

#### V.—PRACTICE AND PROCEDURE.

Evidence of documents.

**26.** Every document purporting to be signed by the Chief Commissioner and Secretary, or by either of them, or by the Minister or inspecting engineer, shall, without proof of any such signature, be *prima facie* evidence in all courts, and shall be sufficient notice to the company and all parties interested, (if served therewith in the manner herein provided for service of notice), that such document was duly signed and issued by the Board, Minister or inspecting engineer as the case may be ; and if such document purports to be a copy of any regulation, order, direction, decision or report, made or given by the Board, or the Minister or inspecting engineer, shall be *prima facie* evidence in all courts of such regulation, order, direction, decision or report, and when served on the company, or any person, in the manner in section twenty-eight provided for service of notice, shall be sufficient notice to the company or such person, of such regulation, order, direction, decision or report from the time of such service. 51 V., c. 29, s. 26, Am.

Service of copies.

Certified plan, etc., *prima facie* evidence.

**27.** Any document purporting to be certified by the Secretary as being a copy of any plan, profile, book of reference or any other document deposited with the Board, or of any portion thereof, shall, without proof of signature of the Secretary, be in all courts *prima facie* evidence of such original

document, and that the same is so deposited, and is signed, certified, attested or executed by the persons by whom and in the manner in which, the same purports to be signed, certified, attested or executed, as shown or appearing from such certified copy, and also, if such certificate states the time such original was so deposited, that the same was deposited at the time so stated. 51 V., c. 29, s. 127, Am.

2. A copy of any regulation, order or other document in the custody of the Secretary, or of record with the Board, certified by the Secretary to be a true copy, and sealed with the seal of the Board, shall, in all courts and for all purposes, be *prima facie* evidence of such regulation, order or document, without proof of signature of the Secretary.

Certified copies of documents of Board.

28. Any notice required to be given to the company, or to any company, municipality, corporation, co-partnership, firm or individual may be, and shall be deemed to be sufficiently given or served by delivering the same, or a copy thereof;

Method of giving notices.

(a.) in the case of the company, to the president, vice-president, managing director, secretary or superintendent of the company, or to some adult person in the employ of the company at the head or any principal office of the company;

To railway companies.

(b.) in the case of any municipality, or civic or municipal corporation, to the mayor, warden, reeve, secretary, treasurer, clerk, chamberlain or other principal officer thereof;

To municipalities &c.

(c.) in the case of any other company, or body corporate, to the president, vice-president, manager or secretary, or to some adult person in the employ of the company at the head office of such company;

To other companies.

(d.) in the case of any firm or co-partnership, to any member of such firm or co-partnership, or left at the last place of abode of any such member with any adult member of his household, or at the office or place of business of the firm with a clerk employed therein;

To firms.

(e.) and, in the case of any individual, to him or left at his last place of abode with any adult member of his household, or at his office or place of business with a clerk in his employ;

To individuals.

Provided that such notice is sufficient in substance, is given in sufficient time, and, in the case of the Board, is signed by the Secretary or Chief Commissioner, in the case of the Minister or inspecting engineer, or other officer or person appointed by the Board or the Minister and required or authorized to give such notice, is signed by the Minister or by such inspecting engineer, officer or other person, as the case may be, and in the case of any company or corporation is signed by its president or secretary, or by its duly authorized agent or solicitor, and in the case of any person, is signed by such person, or his duly authorized agent or solicitor.

Proviso.

2. When in any of the cases mentioned in this section, it shall be made to appear to the satisfaction of the Board or Minister in any matter within the jurisdiction of the Board or Minister, as the case may be, under this Act, that service of

Service by publication in certain cases.



such notice cannot be made in the manner provided in this section, or that the person to be served cannot be served, or that the company or person to be served is seeking to evade service and therefore cannot be served, the Board or Minister, as the case may be, may order and allow such service to be made by the publication of such notice for any period not less than three weeks in *The Canada Gazette*, and also, if required, in any other newspaper or newspapers, and service by such publication shall be deemed to be as sufficient as if the same had been served in the manner provided in the first part of this section.

Service of  
orders, reports  
or other  
documents.

3. Any regulation, order, direction, decision, report or other document may, unless in any case otherwise provided, be served in like manner as notice may be given under this section. 51 V., c. 29, s. 28, Am.

Duty of  
company on  
receipt of  
notice or  
order.

29. The company shall, as soon as possible after the receipt by it, or service upon it, of any regulation, order, direction, decision, notice, report or other document of the Board, or the Minister, or the inspecting engineer, give cognizance thereof to each of its officers and servants performing duties which are or may be affected thereby, by delivering a copy to him or by posting up a copy thereof in some place where his work or his duties, or some of them, are to be performed. 51 V., c. 29, s. 25, Am.

Publication of  
regulations  
and orders.

30. Publication by the Board, or by leave of the Board, for three weeks in *The Canada Gazette* of any rule, regulation, order or decision of the Board, shall be sufficient notice thereof to the company, to all persons, and to the public generally; and when such rule, regulation, order or decision, is so published, the same, while in force, shall have the like effect as if enacted herein, and all courts shall take judicial notice thereof.

Judicial  
notice.

Notice of  
application.  
Board may  
vary length  
of time.

31. Except in any case where it is otherwise provided, ten days' notice of any application to the Board, or of any hearing by the Board, shall be sufficient, unless in any case the Board directs longer notice. The Board may in any case, allow notice for any period less than ten days which shall be sufficient notice as if given for ten days or longer.

Procedure in  
urgent cases  
when no  
notice given.

32. When the Board is authorized to hear an application, complaint or dispute, or make any order, upon notice to the parties interested, it may, upon the ground of urgency, or for other reason appearing to the Board to be sufficient, notwithstanding any want of, or insufficiency in, such notice, make the like order or decision in the matter as if due notice had been given to all parties; and such order or decision shall be as valid and take effect in all respects as if made on due notice; but any person entitled to notice and not sufficiently notified may, at any time within ten days after becoming aware of such order or decision, or within such further time as the Board may

Rehearing on  
application  
made within  
ten days after  
notice served.



allow, apply to the Board to vary, amend or rescind such order or decision, and the Board shall thereupon, on such notice to other parties interested as it may in its discretion think desirable, hear such application, and either amend, alter or rescind such order or decision, or dismiss the application, as may seem to it just and right.

**33.** All regulations and orders made by the Railway Committee of the Privy Council, under the provisions of *The Railway Act* and amending Acts, in force at the time of the passage of this Act, shall continue in force until repealed, rescinded, changed or varied under the provisions of this Act; and the Board shall have the like powers to repeal, rescind, change or vary the same, as in the case of regulations or of orders which the Board may make under this Act.

Regulations and orders of Railway Committee continue in force until repealed.

**34.** Notwithstanding the repeal by this Act of the said *The Railway Act* and amending Acts, all orders of the Railway Committee of the Privy Council in force at the time of the passage hereof, may be made rules or orders of the Exchequer Court, or of any Superior Court of any province in Canada, and may be enforced in all respects, as near as may be, in the same manner as provided by this Act in the case of similar orders by the Board; and all penalties, forfeitures and liabilities attaching, under this Act, to the violation of any regulation, or disobedience to any order of the Board, shall apply and attach to any violation of, or disobedience to, any regulation or order of the Railway Committee of the Privy Council occurring after the passage of this Act, in all respects, as near as may be, as if the same were a regulation or order of the Board.

Existing orders of Railway Committee may be made rules of court.

Penalties under this Act apply to violations hereafter.

**35.** Any decision or order made by the Board under this Act may be made an order of the Exchequer Court, or a rule, order or decree of any Superior Court of any province of Canada, and shall be enforced in like manner as any rule, order or decree of such court. 51 V., c. 29, s. 17, Am.

Decisions or orders of Board may be made rules of court.

2. To make such decision or order a rule, order or decree of such court, the usual practice and procedure of the court in such matters may be followed; or, in lieu thereof, the Secretary may make a certified copy of such decision or order, upon which shall be made the following endorsement signed by the Chief Commissioner and sealed with the official seal of the Board:—

Practice.

“To move to make the within a rule (order or decree, as the case may be) of the Exchequer Court of Canada (or, as the case may be).”

Alternative method.

“Dated this                      day of                      A.D. 19   .

“A. B.

(Seal.) “Chief Commissioner of the Board of Railway  
“Commissioners for Canada.”

And the Secretary may forward such certified copy, so endorsed, to the registrar, or other proper officer of such court, who shall, on receipt thereof, enter the same as of record, and the same shall thereupon become and be such rule, order or decree of such court.

When order rescinded or changed.

3. Where an order or decision of the Board under this Act, or the Railway Committee of the Privy Council under *The Railway Act*, has been made a rule, order or decree of any court, any order or decision of the Board rescinding or changing the same shall be deemed to cancel the rule, order, or decree of such court, and may, in like manner, be made a rule, order or decree of court.

Contingent orders.

**36.** The Board may provide in any order that the same, or any specified portion or terms thereof, shall come into force, at a future fixed time, or upon the happening of any specified contingency, event or condition precedent, or upon the performance to the satisfaction of the Board, or person named by it, of any terms which the Board may impose upon any party interested, and it may provide that the whole, or any portion of such order, shall have force for a limited time, or until the happening of any specified event. The Board may, instead of making an order final in the first instance, make an *interim* order, and reserve further order and direction to be made, either at an adjourned hearing of the matter, or upon further application.

Subject to terms.

Limited as to time.

Interim orders.

May grant partial or other relief than that applied for.

**37.** Upon any application made to the Board under this Act, the Board may make an order granting the whole, or part only, of such application, or may grant such further, or other relief, in addition to, or substitution for, that applied for, as to the Board may seem just and proper, as fully in all respects as if such application had been for such partial, other, or further relief.

Interim *ex parte* orders.

Proviso.

**38.** Whenever the special circumstances of any case seem to so require, the Board may make an *interim ex parte* order authorizing, requiring or forbidding anything to be done which the Board would be empowered on application, notice and hearing to authorize, require or forbid. No such *interim* order shall, however, be made for any longer time than the Board may deem necessary to enable the matter to be heard and determined.

Extension of time specified in order.

**39.** When any work, act, matter or thing is by any regulation, order or decision of the Board required to be done, performed or completed within a specified time, the Board may, if the circumstances of the case seem to so require, upon notice and hearing, or in its discretion upon *ex parte* application, extend the time so specified.

**40.** The Board may make general rules governing, so far as shall not be inconsistent with the express provisions of this Act, its practice and procedure under this Act, and generally for carrying this Act into effect. Such rules may be published in *The Canada Gazette*, and shall thereupon be judicially noticed, and shall have effect as if they were enacted in this Act. The Board may, upon terms or otherwise, make or allow any amendments in any proceedings before it.

May make rules governing its procedure and practice.

When to be judicially noticed. Amendments.

**41.** No order of the Board need show upon its face that any proceeding or notice was had or given, or any circumstance existed, necessary to give it jurisdiction to make such order.

Presumption of jurisdiction to make order.

**42.** In determining any question of fact, the Board shall not be concluded by the finding or judgment of any other court, in any suit, prosecution or proceeding, involving the determination of such fact, but such finding or judgment shall, in proceedings before the Board, be *prima facie* evidence only.

Judgments of other courts on questions of fact not binding upon Board.

2. The pendency of any suit, prosecution or proceeding, in any other court, involving questions of fact, shall not deprive the Board of jurisdiction to hear and determine the same questions of fact.

Jurisdiction of Board not affected by collateral suits.

3. The finding or determination of the Board upon any question of fact within its jurisdiction shall be binding and conclusive on all courts.

Finding of Board on questions of fact conclusive.

**43.** The Board may, of its own motion or upon the application of any party, and upon such security being given as it directs, state a case, in writing, for the opinion of the Supreme Court of Canada upon any question which in the opinion of the Board is a question of law. A like reference may also be made at the request of the Governor in Council. 51 V., c. 29, s. 19, Am.

May state case for opinion of Supreme Court of Canada.

2. The Supreme Court of Canada shall hear and determine the question or questions of law arising thereon, and remit the matter to the Board with the opinion of the court thereon. 51 V., c. 29, s. 20, Am.

Action thereon.

**44.** Subject to the provisions of this section, every decision or order of the Board shall be final.

Order of Board final.

2. The Governor in Council may, at any time, in his discretion, either upon petition of any party, person or company interested, or of his own motion and without any petition or application therefor, vary, change or rescind any order, decision, rule or regulation of the Board, whether such order or decision be made *inter partes* or otherwise, and whether such regulation be general or limited in its scope and application; and any order which the Governor in Council may make with respect thereto shall be binding on the Board and all parties.

Saving right of review by Governor in Council.

3. An appeal shall lie from the Board to the Supreme Court of Canada upon a question of jurisdiction, but such appeal shall

Appeal to Supreme Court on



questions of jurisdiction.

shall not lie unless the same is allowed by a judge of the said court upon application and hearing the parties and the Board; the costs of such application shall be in the discretion of the judge.

On questions of law.

An appeal shall also lie from the Board to such court upon any question which in the opinion of the Board is a question of law, upon leave therefor having been first obtained from the Board. The granting of such leave shall be in the discretion of the Board.

Security for costs.

4. Upon such leave being obtained the party so appealing shall deposit with the registrar of the Supreme Court of Canada the sum of two hundred and fifty dollars, by way of security for costs, and thereupon the registrar of such court shall set the appeal down for hearing on the first day of the next session; and the party appealing shall within ten days after the deposit, give to the parties affected by the appeal, or their respective solicitors by whom such parties were represented before the Board, and to the Secretary, notice in writing that the case has been so set down to be heard in appeal as aforesaid; and the said appeal shall be heard by such court as speedily as practicable.

Notice of appeal.

Opinion of court.

5. On the hearing of any such appeal the Supreme Court of Canada may draw all such inferences as are not inconsistent with the facts expressly found by the Board, and are necessary for determining the question of jurisdiction, or law, as the case may be, and shall certify their opinion to the Board, and the Board shall make an order in accordance with such opinion.

Board may be heard by counsel.

6. The Board shall be entitled to be heard, by counsel or otherwise, upon the argument of any such appeal.

Rules of court as to costs, etc.

7. The Supreme Court of Canada shall have power to fix the costs and fees to be taxed, allowed and paid upon such appeals, and to make rules of practice respecting appeals under this section, and until such rules are made the rules and practice applicable to appeals from the Exchequer Court to the Supreme Court of Canada shall be applicable to an appeal under this Act.

Members of Board not liable for costs.

8. Neither the Board nor any member of the Board shall in any case be liable to any costs by reason or in respect of any appeal or application under this section.

Proceedings of Board final, except as above.

9. Save as provided in this section, an order, decision or proceeding of the Board shall not be questioned or reviewed, restrained or removed by prohibition, injunction, certiorari, or any other process or proceeding in any court. Sub. for 51 V., c. 29, s. 21.

Governor in Council may refer to Board for report.

45. The Governor in Council may at any time refer to the Board for a report, or other action, any question, matter or thing arising, or required to be done, under this Act, or the Special Act, and the Board shall without delay comply therewith.

Costs.

46. The costs of and incidental to any proceeding before the Board shall be in the discretion of the Board, and may be



fixed in any case at a sum certain, or may be taxed. The Board may order by whom and to whom the same are to be paid, and by whom the same are to be taxed and allowed.

2. The Board may prescribe a scale under which such costs shall be taxed. Scale of costs.

**47.** When the Board, in the exercise of any power vested in it by this Act, or the Special Act, in and by any order directs any structure, appliances, equipment, works, renewals, or repairs to be provided, constructed, reconstructed, altered, installed, operated, used or maintained, it may order by what company, municipality or person, interested or affected by such order, as the case may be, and when or within what time, and upon what terms and conditions as to the payment of compensation or otherwise, and under what supervision, the same shall be provided, constructed, reconstructed, altered, installed, operated, used or maintained; and the Board may order by whom, in what proportion, and when, the cost and expenses of providing, constructing, reconstructing, altering, installing and executing such structures, equipment, works, renewals, or repairs, or the supervision (if any), or the continued operation, use or maintenance of the same, or of otherwise complying with such order, shall be paid. Expenses of works ordered by Board.  
  
Board may order by whom to be constructed and paid.

**48.** The Board may appoint or direct any person to make an inquiry and report upon any application, complaint or dispute pending before such Board, or any matter or thing over which the Board has jurisdiction under this or the Special Act. 51 V., c. 29, s. 12, Am. Board may order inquiries.

2. The Minister may, with the approval of the Governor in Council, appoint and direct any person to inquire into and report upon any matter or thing which the Minister is authorized to deal with under this Act or the Special Act. Minister may order inquiry.

**49.** The Board, the Minister, inspecting engineer, or person appointed under this Act to make any inquiry or report may:— Powers respecting inquiries.

(a.) enter upon and inspect any place, building, or works, being the property or under the control of any company, the entry or inspection of which appears to it or him requisite; Entry.

(b.) inspect any works, structure, rolling stock or property of the company; Inspection.

(c.) require the attendance of all such persons as it or he thinks fit to call before it or him, and examine, and require answers or returns to such inquiries as it or he thinks fit to make; Attendance of witnesses and replies.

(d.) require the production of all books, papers, plans, specifications, drawings and documents, relating to the matter before it or him; Production of documents, etc.

(e.) administer oaths, affirmations or declarations; Oaths.

2. And shall have the like power in summoning witnesses and enforcing their attendance, and compelling them to give evidence and produce books, papers or things which they are required

required to produce, as is vested in any court in civil cases. 51 V., c. 29, ss. 13 and 15, Am.

Witness fees.

**50.** Every person summoned to attend before the Board or the Minister, or before any inspecting engineer, or person appointed under this Act to make inquiry and report shall, in the discretion of the Board or the Minister, receive the like fees and allowances for so doing as if summoned to attend before the Exchequer Court. 51 V., c. 29, s. 16, Am.

No person to be excused from testifying.

**2.** No person shall be excused from attending and testifying or from producing books, papers, tariffs, contracts, agreements and documents before the Board, or in obedience to the subpoena or order of the Board, or of any person authorized to hold any investigation or inquiry under this Act, or in any cause or proceeding based upon or growing out of any alleged violation of this Act, on the ground or for the reason that the testimony or evidence, documentary or otherwise, required of him, may tend to criminate him or subject him to any proceeding or penalty; but no evidence so given, nor any document so produced, shall be used or receivable against such person in any criminal proceeding thereafter instituted against him other than a prosecution for perjury in giving such evidence.

Proof of documents.

**3.** In any proceeding before the Board and in any action or proceeding under this Act, every written or printed document purporting to have been issued or authorized by the company, or any officer, agent, or employee of the company, or any other person or company for or on its behalf, shall, as against the company, be received as *prima facie* evidence of the issue of such document by the company and of the contents thereof without any further proof than the mere production of such document.

## VI.—INCORPORATION AND ORGANIZATION OF COMPANY.

### *Incorporation.*

Companies to have corporate powers.

**51.** Every company incorporated under a special Act shall be a body corporate, under the name declared in the Special Act, and shall be vested with all such powers, privileges and immunities as are necessary to carry into effect the intention and objects of this Act, and of the Special Act, and which are incident to such corporation, or are expressed or included in *The Interpretation Act*. 51 V., c. 29, s. 31.

### *Offices.*

Head office.

**52.** The head office of the company shall be in the place designated in the Special Act, but the company may, by by-law, from time to time, change the location of its head office to any place in Canada, notice thereof to be given to the Secretary of the Board who shall keep a register for the purpose. The

Change of location.

directors of the company may establish one or more offices in other places in Canada or elsewhere. 51 V., c. 29, s. 32, Am. Offices.

### *Provisional Directors.*

**53.** The persons mentioned by name as such in the Special Act are hereby constituted provisional directors of the company, and of such provisional directors a majority shall be a quorum, and the said provisional directors shall hold office as such until the first election of directors, and may forthwith open stock books and procure subscriptions of stock for the undertaking, and receive payments on account of stock subscribed, and cause plans and surveys to be made, and deposit in any chartered bank of Canada moneys received by them on account of stock subscribed, which moneys shall not be withdrawn, except for the purposes of the undertaking, or upon the dissolution of the company for any cause whatsoever. 51 V., c. 29, s. 33. Provisional directors.  
Majority quorum.  
Powers.  
Deposit of moneys.

**54.** If more than the whole stock has been subscribed, the provisional directors shall allocate and apportion the authorized stock among the subscribers as they deem most advantageous and conducive to the furtherance of the undertaking. 51 V., c. 29, s. 34. Allotment of stock.

### *Capital.*

**55.** The capital stock of the company, the amount of which shall be stated in the Special Act, shall be divided into shares of one hundred dollars each; and the money so raised shall be applied, in the first place, to the payment of all fees, expenses and disbursements for procuring the passing of the Special Act, and for making the surveys, plans and estimates of the works authorized by the Special Act; and all the remainder of such money shall be applied to the making, equipping, completing and maintaining of the railway, and other purposes of the undertaking. 51 V., c. 29, s. 35. Capital stock and shares.  
Application of proceeds.

**56.** So soon as twenty-five per cent of the capital has been subscribed, and ten per cent of the amount subscribed has been paid into some chartered bank in Canada, the provisional directors shall call a meeting of the shareholders of the company at the place where the head office is situate, at such time as they think proper, giving the notice prescribed by section sixty-one of this Act, at which meeting the shareholders who have paid at least ten per cent on the amount of stock subscribed for by them shall, from the shareholders possessing the qualifications hereinafter mentioned, elect the number of directors prescribed by the Special Act. 51 V., c. 29, s. 36. First meeting of shareholders.  
Notice thereof.  
Election of directors.

**57.** The original capital stock of the company may, with the approval of the Governor in Council, be increased, from Increase of capital stock.



Notice of  
meetings and  
object.

Entry in  
minutes.

Municipal  
corporation  
may take  
stock.

Representa-  
tion on  
directorate.

time to time, to any amount, if such increase is sanctioned by a vote, in person or by proxy, of the shareholders who hold at least two-thirds in amount of the subscribed stock of the company, at a meeting expressly called by the directors for that purpose by a notice in writing to each shareholder, delivered to him personally, or properly directed to him and deposited in the post office at least twenty days previously to such meeting, stating the time, place and object of such meeting, and the amount of the proposed increase; and the proceedings of such meeting shall be entered in the minutes of the proceedings of the company, and thereupon the capital stock may, with such approval, be increased to the amount sanctioned by such vote. 51 V., c. 29, s. 37.

**58.** Municipal corporations in any province in Canada duly empowered so to do by the laws of the province, and subject to the limitations and restrictions in such laws prescribed, may subscribe for any number of shares in the capital stock of the company; and the mayor, warden, reeve or other head officer of any such corporation holding stock to the amount of twenty thousand dollars or upwards, shall be *ex officio* one of the directors of the company in addition to the number of directors authorized by the Special Act, unless in such Special Act provision is made for the representation of such corporation on the directorate thereof. 51 V., c. 29, s. 38, Am.

### *Meetings of Shareholders.*

Annual  
meetings.

Special  
meetings.

**59.** A general meeting of the shareholders for the election of directors and for the transaction of other business connected with or incident to the undertaking, to be called "the annual meeting," shall be held annually on the day mentioned in the Special Act; and other general meetings, to be called "special meetings," may be called at any time by the directors, or by shareholders representing at least one-fourth in value of the subscribed stock, if the directors, having been requested by such shareholders to convene such special meeting, for twenty-one days thereafter fail to call such meeting. 51 V., c. 29, s. 40, ss. 1.

Held at  
head office.

**60.** All general meetings, whether annual or special, shall be held at the head office of the company. 51 V., c. 29, s. 40, ss. 2.

Notice of  
meetings.

Evidence.

**61.** At least four weeks public notice of any meeting shall be given by advertisement published in *The Canada Gazette*, and in at least one newspaper published in the place where the head office is situate, in which notice shall be specified the place and the day and the hour of meeting; all such notices shall be published weekly, and a copy of such *Gazette* containing such notice shall, on production thereof, be sufficient evidence of such notice having been given. 51 V., c. 29, s. 41.



**62.** Any business connected with or incident to the undertaking may be transacted at an annual meeting, excepting such business as, by this Act or the Special Act, is required to be transacted at a special meeting; but no special meeting shall enter upon any business not set forth in the notice upon which it is convened. 51 V., c. 29, s. 42.

What business may be transacted.

**63.** The number of votes to which each shareholder shall be entitled, on every occasion when the votes of the shareholders are to be given, shall be in the proportion of the number of shares held by him, and on which all calls due have been paid. 51 V., c. 29, s. 43.

Voting.

Calls in arrear.

**64.** Every shareholder, whether resident in Canada or elsewhere, may vote by proxy, if he sees fit, and if such proxy produces from his constituent an appointment in writing, in the words or to the effect following, that is to say:—

Voting by proxy.

“I, \_\_\_\_\_ of \_\_\_\_\_, one of the shareholders of the \_\_\_\_\_, do hereby appoint \_\_\_\_\_ of \_\_\_\_\_, to be my proxy, and in my absence, to vote or give my assent to any business, matter or thing relating to the undertaking of the said \_\_\_\_\_ that is mentioned or proposed at any meeting of the shareholders of the said company, in such manner as he, the said \_\_\_\_\_ thinks proper.

Form of proxy.

“In witness whereof, I have hereunto set my hand and seal the \_\_\_\_\_ day of \_\_\_\_\_ in the year \_\_\_\_\_.” 51 V., c. 29, s. 44.

**65.** The votes by proxy shall be as valid as if the constituents had voted in person; and every matter or thing proposed or considered at any meeting of the shareholders shall be determined by the majority of votes and proxies then present and given; and all decisions and acts of any such majority shall bind the company and be deemed the decisions and acts of the company. 51 V., c. 29, s. 45.

Validity of vote by proxy.

Majority vote binding.

**66.** Copies of the minutes of proceedings and resolutions of the shareholders of the company, at any annual or special meeting, and of the minutes of proceedings and resolutions of the directors, at their meetings, extracted from the minute book, kept by the secretary of the company, and by him certified to be true copies extracted from such minute books, and when sealed with the company's seal shall, without proof of the signature of such secretary, be evidence of such proceedings and resolutions in any court. 51 V., c. 29, s. 212.

Certified copies of minutes, etc.

Evidence.

**67.** All notices given by the secretary of the company by order of the directors shall be deemed notices by the directors of the company. 51 V., c. 29, s. 213.

Notices by secretary valid.

*President and Directors.*

Board of directors.

**68.** A board of directors, which may be known as the directors, of the company, to manage its affairs, the number of whom shall be stated in the Special Act, and a majority of whom shall form a quorum, shall be chosen at the annual meeting; and if such election is not held on the day appointed therefor, the directors shall cause such election to be held at a special meeting duly called for that purpose within as short a delay as possible after the day so appointed. 51 V., c. 29, s. 46, Am.

Majority quorum.

Votes at adjourned meeting.

**69.** No person shall vote on such subsequent day, except those who would have been entitled to vote if the election had been held on the day when it should have been held. 51 V., c. 29, s. 47.

Vacancies in directorate.

**70.** Vacancies in the directors shall be filled in the manner prescribed by the by-laws. 51 V., c. 29, s. 48.

Qualifications of directors.

**71.** No person shall be a director unless he is a shareholder, owning twenty shares of stock and has paid all calls due thereon, and is qualified to vote for directors at the election at which he is chosen. 51 V., c. 29, s. 49.

Term of office.

**72.** The directors appointed at the last election, or those appointed in their stead in case of vacancy, shall remain in office until the next ensuing election of directors. 51 V., c. 29, s. 50.

Vacancies by death, etc., how filled.

**73.** In case of the death, absence or resignation of any of the directors, others may, unless otherwise prescribed by the by-laws, be appointed in their stead by the remaining directors; and, in case such remaining directors do not constitute a quorum, then by the shareholders at a special meeting to be called for that purpose; but if such appointment is not made, such death, absence or resignation, shall not invalidate the acts of the remaining directors. 51 V., c. 29, s. 51.

President.

**74.** The directors shall, at their first or at some other meeting after the election elect one of their number to be the president of the company, who shall always, when present, be the chairman of and preside at all meetings of the directors, unless otherwise provided by by-law, and shall hold his office until he ceases to be a director, or until another president has been elected in his stead; and they may, in like manner, elect a vice-president, who shall act as chairman in the absence of the president. 51 V., c. 29, s. 52, Am.;—61 V., c. 22, s. 3.

Vice-president.

Acts of quorum are binding.

**75.** The directors, at any meeting at which not less than a quorum are present, shall be competent to use and exercise all

all and any of the powers vested in the directors. 51 V., c. 29, s. 53.

**76.** The act of a majority of a quorum of the directors present at any meeting regularly held, shall be deemed the act of the directors. 51 V., c. 29, s. 54.

Acts of majority of quorum are binding.

**77.** No director shall have more than one vote, except the chairman, who shall, in case of a division of equal numbers, have the casting vote. 51 V., c. 29, s. 55.

Votes of directors.

**78.** The directors shall be subject to the examination and control of the shareholders at their annual meetings, and shall be subject to all by-laws of the company, and to the orders and directions from time to time made or given at the annual or special meetings; but such orders and directions shall not be contrary to or inconsistent with any express directions or provisions of this Act or of the Special Act. 51 V., c. 29, s. 56, Am.

Directors subject to shareholders and by-laws. Proviso.

**79.** No person who holds any office, place or employment in, or who is concerned or interested in any contract under or with the company, or is surety for any contractor with the company, shall be capable of being chosen a director, or of holding the office of director, nor shall any person who is a director of the company enter into, or be directly or indirectly, for his own use and benefit, interested in any contract with the company, other than a contract which relates to the purchase of land necessary for the railway, or be or become a partner of or surety for any contractor with the company. 51 V., c. 29, s. 57.

Disability of officers, contractors and sureties.

**80.** The directors may make by-laws or pass resolutions, from time to time, for the following purposes:—

Directors may make by-laws respecting:—

(a.) for the management and disposition of the stock, property, business and affairs of the company, not inconsistent with the laws of Canada; Stock, property and business of company.

(b.) for the appointment of all officers, servants and artificers and for prescribing their respective duties and the compensation to be made therefor; Appointment of officers and servants.

(c.) for the retirement of such of said officers and servants, on such terms as to an annual allowance or otherwise, as in each case the directors, in the interest of the company's service and under the circumstances, consider just and reasonable. 59 V., c. 9, s. 1. Retirement of officers, etc.

**81.** The directors shall, from time to time, appoint such officers as they deem requisite, and shall take sufficient security, by one or more bonds, or by the guarantee of any society or joint stock company incorporated and empowered to grant guarantees, bonds, covenants or policies for the integrity and faithful accounting of persons occupying positions of trust, or

Appointment of officers and security to be given.



for other like purposes, as they deem expedient, from the managers and officers, for the time being, for the safe-keeping and accounting for by them, respectively, of the moneys raised by virtue of this Act and the Special Act, and for the faithful execution of their duties, as the directors think proper. 51 V., c. 29, s. 59.

Powers of  
vice-president.

**82.** In case of the absence or illness of the president, the vice-president shall have all the rights and powers of the president, and may sign all debentures and other instruments, and perform all acts which, by the regulations and by-laws of the company, or by the Special Act, are required to be signed, performed and done by the president. 51 V., c. 29, s. 60.

Absence of  
president may  
be entered on  
minutes.

**83.** The directors may, at any meeting of directors, require the secretary of the company to enter such absence or illness among the proceedings of such meeting; and a certificate thereof, signed by the secretary of the company, shall be delivered to any person requiring the same, on payment to the treasurer of one dollar, and such certificate shall be taken and considered as *prima facie* evidence of such absence or illness, at and during the period in the said certificate mentioned, in all proceedings in courts of justice or otherwise. 51 V., c. 29, s. 61, Am.

Evidence.

Annual  
accounts.

**84.** The directors shall cause to be kept and, annually, on the thirtieth day of June, to be made up and balanced, a true, exact and particular account of the moneys collected and received by the company or by the directors or managers thereof, or otherwise for the use of the company, and of the charges and expenses attending the erecting, making, supporting, maintaining and carrying on of the undertaking, and of all other receipts and expenditures of the company or the directors. 51 V., c. 29, s. 62.

### *Calls.*

Calls upon  
shareholders.

**85.** The directors may, from time to time, make such calls of money upon the respective shareholders, in respect of the amount of capital respectively subscribed or owing by them, as they deem necessary; and at least thirty days' notice shall be given of each call, and no call shall exceed the amount prescribed in the Special Act, or be made at a less interval than two months from the previous call, nor shall a greater amount be called in, in any one year, than the amount prescribed in the Special Act; but nothing herein contained shall prevent the directors from making more than one call by one resolution of the board: Provided, that the intervals between such calls, the notices of each call, and the other provisions of this Act and of the Special Act, in respect of calls, are duly observed and given. 51 V., c. 29, s. 63.

Notice of call.



**86.** All notices of calls upon the shareholders of the company shall be published as provided by section sixty-one of this Act, and a copy of the *Gazette* therein mentioned shall, on production thereof, be sufficient evidence of such notice having been given. 51 V., c. 29, s. 64. Publication of notice of call.

**87.** Every shareholder shall be liable to pay the amount of the calls so made in respect of the shares held by him, to the persons and at the times and places, from time to time, appointed by the company or the directors. 51 V., c. 29, s. 65. Payment of calls.

**88.** If, on or before the day appointed for payment of any call, any shareholder does not pay the amount of such call, he shall be liable to pay interest for the same, at the rate of five per centum per annum, from the day appointed for the payment thereof to the time of the actual payment. 51 V., c. 29, s. 66, Am. Overdue calls bear interest.

**89.** If, at the time appointed for the payment of any call, any shareholder fails to pay the amount of the call, he may be sued for the same in any court of competent jurisdiction, and the same shall be recoverable, with lawful interest from the day on which the call became payable. 51 V., c. 29, s. 67. Failure to pay call. Action thereon.

**90.** In any action or suit to recover any money due upon any call, it shall not be necessary to set forth the special matter, but it shall be sufficient to declare that the defendant is the holder of one share or more, stating the number of shares, and is indebted in the sum of money to which the calls in arrear amount, in respect of one call or more, upon one share or more, stating the number and amount of each of such calls, whereby an action has accrued to the company. 51 V., c. 29, s. 68. Material allegation in suits for calls.

### *Dividends and Interest.*

**91.** The directors may, with the sanction of the shareholders of the company, at a general meeting, declare a dividend to be paid out of the net profits of the undertaking. 51 V., c. 29, s. 69, Am. Declaration of dividends.

2. Such dividend shall be at and after the rate of so much per share upon the several shares held by the shareholders in the stock of the company. 51 V., c. 29, s. 70, Am. Rate.

**92.** The directors may, before recommending any dividend, set aside out of the profits of the company such sums as they think proper as a reserve fund, to meet contingencies, or for equalizing dividends, or for repairing, maintaining, renewing or extending the railway or any portion thereof, and shall submit their action in regard to such reserve fund to the shareholders at a general meeting for their approval; and the directors may invest the sum so set apart as a reserve fund in Reserve fund.

such securities as they select, not however inconsistent with this or the Special Act.

Dividend not  
to impair  
capital, etc.

**93.** No dividend shall be declared whereby the capital of the company is in any degree reduced or impaired, or be paid out of such capital, nor shall any dividend be paid, in respect of any share after a day appointed for payment of any call for money in respect thereof, until such call has been paid; but the directors may, in their discretion, until the railway is completed and opened to the public, pay interest at any rate not exceeding five per centum per annum, on all sums actually paid in cash in respect of the shares, from the respective days on which the same have been paid; and such interest shall accrue and be paid at such times and places as the directors appoint for that purpose. 51 V., c. 29, s. 71, Am.

Interest may  
be paid on  
calls pending  
opening  
of road.

No interest on  
calls in arrear.

**94.** No interest shall accrue to any shareholder in respect of any share upon which any call is in arrear, or in respect to any other share held by such shareholder while such call remains unpaid. 51 V., c. 29, s. 72.

Arrears may  
be deducted  
from  
dividends.

2. The directors may deduct, from any dividend payable to any shareholder, all or any such sum or sums of money as are due from him to the company on account of any call or otherwise.

### Shares.

Shares may be  
transferred.

**95.** Shares in the company may, by the holders thereof, be sold and transferred by instrument in writing, made in duplicate—one part of which shall be delivered to the directors, to be filed and kept for the use of the company, and an entry whereof shall be made in a book to be kept for that purpose, and no interest or dividend on the shares transferred shall be paid to the purchaser until such duplicate is so delivered, filed and entered. 51 V., c. 29, s. 73.

Form of  
transfers.

**96.** Transfers, except in the case of fully paid-up shares, shall be in the form following, or to the like effect, varying the names and descriptions of the contracting parties as the case requires, that is to say :—

“I, (A. B) in consideration of the sum of \_\_\_\_\_ paid to me by (C. D), hereby sell and transfer to him \_\_\_\_\_ share (or shares) of the stock of the \_\_\_\_\_, to hold to him, the said (C. D), his executors, administrators and assigns (or successors and assigns, *as the case may be*), subject to the same rules and orders and on the same conditions that I held the same immediately before the execution hereof. And I, the said (C. D), do hereby agree to accept of the said (A. B.) share (or shares) subject to the same rules, orders and conditions.

“Witness our hands this \_\_\_\_\_ day of \_\_\_\_\_ in the year 19 \_\_\_\_.”

2. In the case of fully paid shares the transfer may be in such form as is prescribed by by-law of the company. 51 V., c. 29, s. 74. Am. As to paid-up shares.

97. The stock of the company shall be personal property; but no shares shall be transferable until all previous calls thereon have been fully paid up, or until the said shares have been declared forfeited for the non-payment of calls thereon; and no transfer of less than a whole share shall be valid. 51 V., c. 29, s. 75. Stock personal property.  
Restrictions on transfers.

98. If any share in the capital stock of the company is transmitted by the death, bankruptcy or last will, donation or testament, or by the intestacy of any shareholder, or by any lawful means other than the transfer hereinbefore mentioned, the person to whom such share is transmitted shall deposit in the office of the company a statement in writing, signed by him, which shall declare the manner of such transmission, together with a duly certified copy or probate of such will, donation or testament, or sufficient extracts therefrom, and such other documents and proofs as are necessary; and without such proof the person to whom the share is so transmitted, as aforesaid, shall not be entitled to receive any part of the profits of the company, or to vote in respect of any such share as the holder thereof. 51 V., c. 29, s. 76. Transmission of stock other than by transfer.

99. The company shall not be bound to see to the execution of any trust, whether express, implied or constructive, to which any share or security issued by it is subject, and whether or not the company has had notice of the trust; and it may treat the registered holder as the absolute owner of any such share or security, and accordingly, shall not be bound to recognize any claim on the part of any other person whomsoever, with respect to any such share or security, or the dividend or interest payable thereon: Provided, that nothing herein contained shall prevent a person equitably interested in any such share or security from procuring the intervention of the court to protect his rights. 53-56 V., c. 27, s. 2. Company not bound to see to execution of trusts.

100. The certificate of proprietorship of any share shall be admitted in all courts as *prima facie* evidence of the title of any shareholder, his executors, administrators or assigns, or successors and assigns, as the case may be, to the share therein specified. 51 V., c. 29, s. 78. Certificate of stock *prima facie* evidence of title.

101. The want of such certificate shall not prevent the holder of any share from disposing thereof. 51 V., c. 29, s. 79. Sale without certificate.

102. Every shareholder who makes default, for the space of two months, in the payment of any call payable by him, together with the interest, if any, accrued thereon, after the time appointed for the payment thereof, shall forfeit to the company Forfeiture of stock for non-payment of calls.



company his shares in the company, and all the profit and benefit thereof. 51 V., c. 29, s. 80, Am.

Method of  
forfeiture.

**103.** No advantage shall be taken of the forfeiture unless the shares are declared to be forfeited at a general meeting of the company, assembled at any time after such forfeiture has been incurred. 51 V., c. 29, s. 81.

Effect of  
forfeiture on  
liability.

**104.** Every such forfeiture shall be an indemnification to and for every shareholder so forfeiting, against all actions, suits or prosecutions, whatsoever, commenced or prosecuted for any breach of contract between such shareholder and the other shareholders with regard to carrying on the undertaking. 51 V., c. 29, s. 82, Am.

Sale of  
forfeited  
shares.

**105.** The directors may sell, either by public auction or private sale, any shares so declared to be forfeited, upon authority therefor having been first given by the shareholders either at the general meeting at which such shares were declared to be forfeited or at any subsequent general meeting; and any shareholder may purchase any forfeited share so sold. 51 V., c. 29, s. 83, Am.

Limitation.

2. The company shall not sell or transfer more of the shares of any such defaulter than will be sufficient, as nearly as can be ascertained at the time of such sale, to pay the arrears then due from such defaulter on account of any calls, together with interest, and the expenses attending such sale and declaration of forfeiture; and if the money produced by the sale of any such forfeited shares is more than sufficient to pay all arrears of calls and interest thereon due at the time of such sale, and the expenses attending the declaration of forfeiture and sale thereof, the surplus shall, on demand, be paid to the defaulter.

Payment of  
arrears before  
sale.

3. If payment of such arrears of calls and interest and expenses is made before any share so forfeited and vested in the company is sold, such share shall revert to the person to whom it belonged before such forfeiture, in such manner as if such calls had been duly paid.

Certificate of  
treasurer to be  
evidence of  
forfeiture and  
of title in  
purchaser.

**106.** A certificate of the treasurer of the company that the forfeiture of the shares was declared, shall be sufficient evidence of the fact, and of their purchase by the purchaser; and such certificate, with the receipt of the treasurer for the price of such shares, shall constitute a good title to the shares; and the certificate shall be, by the said treasurer, registered in the name and with the place of abode and occupation of the purchaser, and shall be entered in the books to be kept by the company; and such purchaser shall thereupon be deemed the holder of such shares, and shall not be bound to see to the application of the purchase money,—and his title to such shares shall not be affected by any irregularity in the proceedings in reference to such sale; and any shareholder may purchase any share so sold. 51 V., c. 29, s. 84, Am.



**107.** Any shareholder who is willing to advance the amount of his shares, or any part of the money due upon his shares, beyond the sums actually called for, may pay the same to the company,—and upon the principal moneys so paid in advance, or so much thereof as, from time to time, exceeds the amount of the calls then made upon the shares in respect to which such advance is made, the company may pay such interest, at the lawful rate of interest for the time being, as the shareholders, who pay such sum in advance, and the company agree upon ; but such interest shall not be paid out of the capital subscribed. 51 V., c. 29, s. 85.

Interest on advance made by shareholder to company.

No interest to be paid out of capital.

**108.** Every shareholder shall be individually liable to the creditors of the company for the debts and liabilities of the company, to an amount equal to the amount unpaid on the stock held by him, and until the whole amount of his stock has been paid up, but no such shareholder shall be liable to an action in respect of his said liability until an execution at the suit of the creditor against the company has been returned unsatisfied in whole or in part. 51 V., c. 29, s. 86.

Limit of shareholder's liability to creditors of the company.

**109.** All shareholders in the company, whether British subjects or aliens, or residents in Canada or elsewhere, shall have equal rights to hold stock in the company, and to vote on the same, and shall be eligible to office in the company. 51 V., c. 29, s. 87.

Aliens have equal rights as shareholders.

**110.** A true and perfect account of the names and places of abode of the several shareholders shall be entered in a book, which shall be kept for that purpose, and which shall be open to the inspection of the shareholders. 51 V., c. 29, s. 88.

Record of shareholders.

### *Bonds, Mortgages, and Borrowing Powers.*

**111.** The directors of the company, under the authority of the shareholders, to them given at any special meeting, called for the purpose in the manner provided by section 61 of this Act, or at any annual meeting for which like notice of intention to apply for such authority has been given as is required in the case of a special meeting, and at which meeting, whether annual or special, shareholders representing at least two-thirds in value of the subscribed stock of the company, and who have paid all calls due thereon, are present in person or represented by proxy, may, subject to the provisions in this Act and the Special Act contained, issue bonds, debentures, perpetual or terminal debenture stock, or other securities, signed by the president or other presiding officer and countersigned by the secretary, which counter-signature and the signature to the coupons attached to the same may be engraved; and such securities may be made payable at such times and in such manner, and at such place or places in Canada or elsewhere, and may bear such rate of interest, not exceeding

Issue of bonds authorized.

Procedure.

When and where payable.

Interest.

Disposal of bonds.	<p>exceeding five per cent per annum, as the directors think proper.</p> <p>2. The directors may issue, and sell or pledge, all or any of the said securities, at the best price, and upon the best terms and conditions, which, at the time, they may be able to obtain, for the purpose of raising money for prosecuting the said undertaking.</p>
Amount of bonds, etc	<p>3. No such security shall be for a less sum than one hundred dollars.</p>
Extent of borrowing power.	<p>4. The power of issuing securities conferred upon the company hereby, or under the Special Act, shall not be construed as being exhausted by such issue; and such power may be exercised from time to time; but the limit to the amount of securities fixed in the Special Act shall not be exceeded: Provided that no power to issue or dispose of any such securities under any Special Act of the Provincial Legislature, in connection with a railway coming under the legislative authority of the Parliament of Canada, shall be subsequently exercised without the sanction of the Governor in Council. 51 V., c. 29, s. 93, Am. by 55-56 V., c. 27, s. 4, Am.</p>
Proviso: as to provincial railway coming under authority of Parliament.	<p><b>112.</b> The company may secure such securities, by a mortgage deed creating such mortgages, charges and encumbrances upon the whole of such property, assets, rents and revenues of the company, present or future, or both, as are described therein; but such property, assets, rents and revenues shall be subject, in the first instance, to the payment of any penalty then or thereafter imposed upon the company for non-compliance with the requirements of this Act, and next, to the payment of the working expenditure of the railway.</p>
Penalties, first charge.	<p>2. By the said mortgage the company may grant to the holders of such securities, or the trustees named in such mortgage, all and every the powers, rights and remedies granted by this Act in respect of the said securities, and all other powers, rights and remedies, not inconsistent with this Act, or may restrict the said holders in the exercise of any power, privilege or remedy granted by this Act, as the case may be; and all the powers, rights and remedies, so provided for in such mortgage, shall be valid and binding and available to the said holders in manner and form as therein provided.</p>
Powers which may be granted in mortgage.	<p>3. The company may except from the operation of any such mortgage deed any assets, property, rents or revenue of the company, and may declare and provide therein that such mortgage shall only apply to and affect certain sections or portions of the railway or property of the company; but where any such exception is made the company shall in such mortgage deed expressly specify and describe, with sufficient particularity to identify the same, the assets, property, rents or revenue of the company, or the section or portions of the railway, not intended to be included therein or conveyed thereby.</p>
Property excepted from operation of mortgage.	<p>4. Every such mortgage deed and every assignment thereof or other instrument in any way affecting such mortgage or security</p>

Mortgage to be deposited with Secretary

security shall be deposited in the office of the Secretary of State of Canada, of which deposit notice shall forthwith be given in *The Canada Gazette*. Such mortgage deed or other instrument need not be registered under the provisions of any law respecting registration of instruments affecting real or personal property. of State and notice given.

5. A copy of any such deed or instrument so deposited, certified to be a true copy by the Secretary of State, or by the Deputy Registrar General of Canada, shall be received as *prima facie* evidence of the original in all courts without proof of the signature of such official. Evidence.

**113.** The securities, hereby authorized to be issued shall be taken and considered to be the first preferential claim and charge upon the company, and the franchise, undertaking, tolls and income, rents and revenues, and real and personal property thereof, at any time acquired, save and except as provided for in the next preceding section. Bonds to be a first charge. Exception.

2. Each holder of the said securities shall be deemed to be a mortgagee or encumbrancer upon the said securities *pro rata* with all the other holders; and no proceedings authorized by law or by this Act shall be taken to enforce payment of the said securities, or of the interest thereon, except through the trustee or trustees appointed by or under such mortgage deed. 51 V., c. 29, s. 95. Holder of bonds a mortgagee.

**114.** If the company makes default in paying the principal of, or interest on, any of such securities, at the time when such principal or interest, by the terms of the security, becomes due and payable, then at the next annual general meeting of the company, and at all subsequent meetings, all holders of such securities, so being and remaining in default, shall, in respect thereof, have and possess the same rights, privileges and qualifications for being elected directors, and for voting at general meetings, as would attach to them as shareholders if they held fully paid-up shares of the company to a corresponding amount. Rights of bondholders on default by company.

2. The rights given by this section shall not be exercised by any such holder, unless it is so provided by the mortgage deed, nor unless the security, in respect of which he claims to exercise such rights has been registered in his name, in the same manner as the shares of the company are registered, at least ten days before he attempts to exercise the right of voting thereon; and the company shall be bound on demand to register such securities, and thereafter any transfers thereof, in the same manner as shares or transfers of shares. Limitations affecting such rights. Registration.

3. The exercise of the rights given by this section shall not take away, limit or restrain, any other of the rights or remedies to which the holders of the said securities, are entitled under the provisions of such mortgage deed. 51 V., c. 29, s. 96. Other rights not affected.



Transfer of  
bonds.

**115.** All such securities may be made payable to bearer, and shall, in that case, be transferable by delivery until registration thereof, as hereinbefore provided, and, while so registered, they shall be transferable, by written transfers, registered in the same manner as in the case of the transfer of shares. 51 V., c. 29, s. 97.

Power to  
borrow money  
by overdraft,  
etc.

**116.** The company may, for the purposes of the undertaking, borrow money by overdraft or upon promissory note, warehouse receipt, bill of exchange or otherwise upon the credit of the company and become party to promissory notes and bills of exchange; and every such note or bill made, drawn, accepted or endorsed, by the president or vice-president of the company, or other officer authorized by the by-laws of the company, and countersigned by the secretary of the company, shall be binding on the company; and every such note or bill of exchange so made, drawn, accepted or endorsed shall be presumed to have been made, drawn, accepted or endorsed with proper authority, until the contrary is shown; and in no case shall it be necessary to have the seal of the company affixed to such promissory note or bill of exchange, nor shall the president or vice-president or secretary or other officer of the company, so authorized be individually responsible for the same, unless such promissory note or bill of exchange has been issued without proper authority; but nothing in this section shall be construed to authorize the company to issue any note or bill payable to bearer, or intended to be circulated as money or as the note or bill of a bank. 51 V., c. 29, s. 98, Am.

No seal  
necessary.

Notes not to  
be payable  
to bearer.

## VII.—CONSTRUCTION OF RAILWAY.

### *Limitation of Time for Construction.*

Time for  
construction  
limited.

**117.** If the construction of the railway is not commenced and fifteen per cent on the amount of the capital stock is not expended thereon within two years after the passing of the Act authorizing the construction of the railway, or if the railway is not finished and put in operation within five years from the passing of such Act, then the powers granted by such Act or by this Act shall cease and be null and void as respects so much of the railway as then remains uncompleted. 51 V., c. 29, s. 89, Am.

### *General Powers.*

Powers of the  
company in  
respect of the  
undertaking.  
To enter  
upon lands.

**118.** The company may, for the purposes of the undertaking, subject to the provisions in this and the Special Act contained :—  
(a.) enter into and upon any Crown lands without previous license therefor, or into and upon the lands of any person whomsoever, lying in the intended route or line of the railway; and make surveys, examinations or other necessary arrangements

Surveys.



arrangements on such lands for fixing the site of the railway, and set out and ascertain such parts of the lands as are necessary and proper for the railway ;

(b.) receive, take and hold, all voluntary grants and donations of lands or other property or any bonus of money or debenture, or other benefit of any sort, made to it for the purpose of aiding in the construction, maintenance and accommodation of the railway ; but the same shall be held and used for the purpose of such grants or donations only ;

Receive grants and bonuses.

(c.) purchase, take and hold of and from any person, any lands or other property necessary for the construction, maintenance and operation of the railway, and also alienate, sell or dispose of, any lands or property of the company which for any reason have become not necessary for the purposes of the railway ;

Acquire property.

Dispose of property not required.

(d.) make, carry or place the railway across or upon the lands of any person on the located line of the railway ; 63—64 V., c. 23, s. 3.

Carry railway across lands.

(e.) cross any railway, or join the railway with any other railway at any point on its route, and upon the lands of such other railway, with the necessary conveniences for the purposes of such connection ;

Cross and connect with other railways.

(f.) make, complete, operate, alter and maintain the railway with one or more sets of rails or tracks, to be worked by the force and power of steam, electricity, or of the atmosphere, or by mechanical power, or any combination of them ;

Construct and operate railways.

Motive power.

(g.) construct, erect and maintain all necessary and convenient roads, buildings, stations, depots, wharfs, docks, elevators, and other structures, and construct, purchase and acquire stationary or locomotive engines, rolling stock, and other apparatus necessary for the accommodation and use of the traffic and business of the railway ;

Construct buildings, equipment, etc.

(h.) make branch railways, and manage the same, and for that purpose exercise all the powers, privileges and authority necessary therefor, in as full and ample a manner as for the railway ;

Construct branch railways.

(i.) take, transport, carry and convey persons and goods on the railway, regulate the time and manner in which the same shall be transported, and the tolls to be charged therefor ;

Transport passengers and freight.

(j.) fell or remove any trees which stand within one hundred feet from either side of the right of way of the railway, or which are liable to fall across any railway track ;

Remove trees.

(k.) make or construct in, upon, across, under or over any railway, tramway, river, stream, watercourse, canal, or highway, which it intersects or touches, temporary or permanent inclined planes, tunnels, embankments, aqueducts, bridges, roads, ways, passages, conduits, drains, piers, arches, cuttings and fences ;

Construct embankments, bridges, drains, fences, etc.

(l.) divert or alter, as well temporarily as permanently, the course of any such river, stream, watercourse or highway, or raise or sink the level thereof, in order the more conveniently to carry the same over, under or by the side of the railway ;

Divert highways and waterways.

(m.)

Construct drains.

(*m.*) make drains or conduits into, through or under any lands adjoining the railway, for the purpose of conveying water from or to the railway;

Divert drains, pipes, and wires.

(*n.*) divert or alter the position of any water-pipe, gas-pipe, sewer or drain, or any telegraph, telephone or electric lines, wires or poles;

Construct telegraph, telephone and electric lines.

(*o.*) construct, acquire and use telegraph, telephone or electric lines and plant;

Alter and substitute other works.

(*p.*) from time to time alter, repair or discontinue the before-mentioned works, or any of them, and substitute others in their stead;

Do other necessary acts.

(*q.*) do all other acts necessary for the construction, maintenance and operation of the railway. 51 V., c. 29, s. 90, Am.

Declaration as to powers with respect to lands.

2. Any company which has obtained from the Crown by way of subsidy or otherwise, in respect of the construction or operation of its railway, a right to any land or to an interest in land, has, and from the time of obtaining such right has had, as incident to the exercise of its corporate powers, authority to acquire, sell or otherwise dispose thereof or any part thereof; and such company may convey the same, or any part thereof, to any other company which has entered into any undertaking for the construction or operation, in whole, or in part, of the railway in respect of which such land or interest in land was given; and thereafter such other company shall have, in respect of such land or interest in land, the same authority as that of the company which has so conveyed it; and as to any lands given to the company by any corporation or other party, as aid towards, or as consideration in whole or in part for, the construction or operation of the company's railway, either generally or with respect to the adoption of any particular route, or on any other account, the authority of the company and of any other company to which it may convey its right in any of the said lands shall be the same as if such lands had been obtained by the company from the Crown as aforesaid. 55-56 V., c. 27, s. 3.

Company to restore, as far as possible, works diverted.

**119.** The company shall restore, as nearly as possible, to its former state, any river, stream, watercourse, highway, water-pipe, gas-pipe, sewer or drain, or any telegraph, telephone or electric lines, wire or pole, which it diverts or alters, or it shall put the same in such a state as not materially to impair its usefulness. 51 V., c. 29, s. 91, Am.

Compensation for damage.

**120.** The company shall, in the exercise of the powers by this or the Special Act granted, do as little damage as possible, and shall make full compensation, in the manner herein and in the Special Act provided, to all parties interested, for all damage by them sustained by reason of the exercise of such powers. 51 V., c. 29, s. 92.

Powers may be exercised in U. S.

**121.** Any company operating a railway from any point in Canada to any point on the international boundary line may

exercise, beyond such boundary, the powers which it may exercise in Canada, in so far as they are permitted by the laws in force there. 53 V., c. 28, s. 1, part.

### *Location of Line.*

**122.** The company shall prepare a map showing the general Map. location of the proposed line of the railway, the termini and the principal towns and places through which the railway is to pass, giving the names thereof, the railways, navigable streams and tide-water, if any, to be crossed by the railway, and such as may be within a radius of thirty miles of the proposed railway, and, generally, the physical features of the country through which the railway is to be constructed, and shall give such further or other information as the Minister may require.

2. Such map shall be submitted to the Minister in duplicate Application for approval of map. and prepared upon a scale of not less than six miles to the inch, or upon such other appropriate scale as the Minister may determine, and shall be accompanied by an application in duplicate, stating the Special Act authorizing the construction of such railway and requesting the Minister's approval of the general location as shown on the said map.

3. Before approving such map and location the Minister Approval. may, subject to the Special Act, make such changes and alterations therein as he may deem expedient, and upon being satisfied therewith shall signify his approval upon the map and the duplicate thereof, and when so approved, the map and application shall be filed in the Department of Railways and Canals and the duplicate thereof with the Board, and no change or alteration from the general location of the line of the railway, as approved by the Minister, shall be allowed, unless such change or alteration has been first approved by the Minister.

4. The foregoing provisions of this section shall only apply Application of proceedings. to the main line and to branch lines over six miles in length.

5. Upon compliance with the preceding provisions of this section the company shall make a plan, profile and book of reference of the railway. The plan shall show the right of Plan, profile and book of reference. way, with lengths of sections in miles, the names of terminal points, the station grounds, the property lines, owners' names, the areas and length and width of lands proposed to be taken, Plan. in figures, (every change of width being given), and the bearings, also all open drains, watercourses, highways and railways proposed to be crossed or affected. The profile shall Profile. show the grades, curves, highway and railway crossings, open drains and watercourses. The book of reference shall describe Book of reference. the portion of land proposed to be taken in each lot to be traversed, giving numbers of the lots, and the area, length and width of the portion thereof proposed to be taken, and names of owners and occupiers so far as they can be ascertained. The Board may require any additional information for the proper understanding of the plan and profile.



May be of section of railway.

6. The plan, profile and book of reference may be of a section or sections of the railway.

7. In the province of Quebec the portion of the railway comprised in each municipality shall be indicated on the plan and in the book of reference by separate number or numbers. 63-64 V., c. 23, s. 6, part, Am.

Sanction by Board.

**123.** Such plan, profile and book of reference shall be submitted to the Board who, if satisfied therewith, may sanction the same, and by such sanction shall be deemed to have approved merely the location of the railway and the grades and curves thereof, as shown in such plan, profile and book of reference, but not to have relieved the company from otherwise complying with this Act. 63-64 V., c. 23, s. 6, part, Am.

To be deemed approval of location only.

Board may require plan, etc., of whole railway.

2. Before sanctioning any plan, profile or book of reference of a section of the railway, the Board may require the company to submit the plan, profile and book of reference of the whole, or any portion, of the remainder of the railway or such further or other information as the Board may deem expedient. 63-64 V., c. 23, s. 6, part, Am.

Deposit of plans, etc., and copies.

**124.** The plan, profile and book of reference, when so sanctioned, shall be deposited with the Board, and each plan shall be numbered consecutively in order of deposit, the company shall also deposit copies thereof, or of such parts thereof as relate to each district or county through which the railway is to pass, duly certified as copies by the Secretary, in the offices of the registrars of deeds for such districts or counties respectively. 63-64 V., c. 23, s. 6, part, Am.

Certain errors in documents filed not to affect construction.

**125.** The railway may be made, carried or placed across or upon the lands of any person on the located line, although the name of such person has not been entered in the book of reference, through error or any other cause, or although some other person is erroneously mentioned as the owner of or entitled to convey, or as interested in such lands. 63-64 V., c. 23, s. 5.

Errors in plan, etc., how corrected.

**126.** Where any omission, misstatement or error is made in any plan, profile or book of reference so registered, the company may apply to the Board for a certificate to correct the same. The Board may, in its discretion, require notice to be given to parties interested, and, if it appears to the Board that such omission, misstatement or error arose from mistake, may grant a certificate setting forth the nature of the omission, misstatement or error and the correction allowed.

Notice.

Certificate.

When corrected.

2. Upon the deposit of such certificate with the Board, and of copies thereof, certified as such by the Secretary, with the registrars of deeds of the districts or counties, respectively, in which such lands are situate, the plan, profile or book of reference shall be taken to be corrected in accordance there-



with, and the company may, thereupon, subject to this Act, construct the railway in accordance with such correction.

3. Two justices may exercise the powers of the Board under this section. 51 V., c. 29, s. 128; 63-64 V., c. 23, s. 7, Am. Powers of two justices.

127. Every registrar of deeds shall receive, and preserve in his office, all plans, profiles, books of reference, certified copies thereof, and other documents, required by this Act to be deposited with him, and shall endorse thereon the day, hour and minute when the same were so deposited, and all persons may resort to the same, and may make extracts therefrom, and copies thereof, as occasion requires, paying the registrar therefor at the rate of ten cents for each hundred words, so copied or extracted, and ten cents for each copy made of any plan or profile. The registrar shall, at the request of any person, certify copies of any such plan, profile, book of reference, or document, so deposited in his office, or of such portions thereof as may be required, on being paid therefor at the rate of ten cents for each hundred words copied, and such additional sum, for any copy of plan or profile furnished by him, as is reasonable and customary in like cases, together with fifty cents for each certificate given by him. For any breach of the duties by this section imposed upon such registrar, he shall be liable on summary conviction to a penalty of ten dollars, and also to an action for damages at the suit of any person injured by such breach. Duties of registrars with respect to plans, etc.  
Extracts and copies.  
Fees.  
Certified copies.  
Fees.  
Penalty for breach of duty.

2. Such certificate of the registrar shall set forth that the plan, profile or document, a copy of which, or of any portion of which, is certified by him, is deposited in his office, and state the time when it was so deposited, and that he has carefully compared the copy certified with the document on file, and that the same is a true copy of such original. And such certified copy shall in all courts be evidence that such original document was so deposited at the time stated and certified, and shall be *prima facie* proof of the original so deposited, and that the same was signed, certified, attested, or otherwise executed, by the persons, by whom, and in the manner in which, the same purports to be signed, certified, attested or executed, as shown or appearing by such certified copy, and in the case of a plan, that such plan is prepared according to a scale, and in manner and form, sanctioned by the Board. 51 V., c. 29, ss. 132 and 133, Am. What certificate of registrar must state.  
Evidence.

128. A plan and profile of the completed railway or of so much thereof as is completed and in operation, and of the land taken or obtained for the use thereof, shall, within six months after completion of the undertaking, or within such extended or renewed period as the Board at any time directs, be made and filed with the Board, and plans of the parts thereof, located in different districts and counties, prepared on such a scale, and in such manner and form, and signed, or authenticated in such manner, as the Board Plan and profile of completed line must be filed.  
may

Penalty  
for neglect.

may from time to time, by general regulation or in any individual case, sanction or require, shall be filed in the registry offices for the districts and counties in which such parts are respectively situate; and every company which fails or neglects to file such plans and profiles with the Board, or to file such plans in such registry offices, within the said period, shall incur a penalty of two hundred dollars, and a like penalty for each and every month during which such failure or neglect continues. 51 V., c. 29, s. 134, Am.; 62-63 V., c. 37, s. 2, Am.

General  
provisions  
respecting  
plans, etc.

**129.** All plans and profiles required by law to be deposited by the company with the Board, shall be drawn to such scale, with such detail, upon such materials, and of such character, as the Board may, either by general regulation, or, in any case, require or sanction, and shall be certified and signed by the president or vice-president or general manager and also by the engineer of the company; and any book of reference, required to be so deposited, shall be prepared to the satisfaction of the Board. Unless and until such plan, profile and book of reference is so made satisfactory to the Board, the Board may refuse to sanction the same, or to allow the same to be deposited with the Board within the meaning of this Act.

Must be  
signed.

Board may  
refuse unsatis-  
factory plans.

Further plans  
as Board  
requires.

2. In addition to such plans, profiles and books of reference, the company shall, with all reasonable expedition, prepare and deposit with the Board, any other, or further plans, profiles, or books of reference of any portion of the railway, or of any siding, station or works thereof, which the Board may from time to time order or require. Sub. for 51 V., c. 29, s. 135.

Deviations,  
changes or  
alterations.

**130.** If any deviation, change or alteration is required by the company to be made in the railway, or any portion thereof, as already constructed, or as merely located and sanctioned, as aforesaid, a plan, profile and book of reference of the portion of such railway proposed to be changed, showing the deviation, change or alteration proposed to be made, shall, in like manner as provided in section one hundred and twenty-three, be submitted for the approval of, and may be sanctioned by the Board; and the same, when so sanctioned, shall be deposited and dealt with as provided in section 124, and the company may thereupon make such deviation, change, or alteration, and all the provisions of this Act shall apply to the portion of such line of railway so at any time changed or proposed to be changed as to the original line.

When  
deviations  
allowed.

2. The Board may either by general regulation, or in any particular case, exempt the company from submitting the plan, profile and book of reference, as in this section provided, where such deviation, change, or alteration, is made, or to be made, for the purpose of lessening a curve, reducing a gradient, or otherwise benefiting the railway, or for any other purpose

of public advantage, as may seem to the Board expedient, provided such deviation, change, or alteration shall not exceed three hundred feet from the centre line of the railway, located, or constructed, in accordance with the plans, profiles and books of reference deposited with the Board under this Act; but nothing in this section shall be taken to authorize any extension of the railway beyond the termini mentioned in the Special Act. 51 V., c. 29, s. 120; 63-64 V., c. 23, s. 8, part, Am.

No extension allowed beyond termini mentioned in Special Act.

**131.** The company shall not commence the construction of the railway, or any section or portion thereof, until the provisions of sections 123 and 124 are fully complied with; and shall not make any change, alteration or deviation in the railway, or any portion thereof, until the provisions of the last preceding section are fully complied with. 63-64 V., c. 23, ss. 4 and 8, part, Am.

Works not to be commenced until certain provisions complied with.

### *Mines and Minerals.*

**132.** No company shall, without the authority of the Board, locate the line of its proposed railway, nor construct the same or any portion thereof, so as to obstruct or interfere with, or injuriously affect the working of, or the access or adit to any mine then open, or for opening which preparations are, at the time of such location, being lawfully and openly made. 51 V., c. 29, s. 119, Am.

Mines to be protected.

2. The company shall not be entitled to any mines, ores, metals, coal, slate, mineral oils or other minerals in or under any lands purchased by it, or taken by it under any compulsory powers given it by this Act, except only such parts thereof as are necessary to be dug, carried away or used in the construction of the works, unless the same have been expressly purchased; and all such mines and minerals, except as aforesaid, shall be deemed to be excepted from the conveyance of such lands, unless they have been expressly named therein and conveyed thereby.

Company not entitled to minerals, etc., in lands.

Exceptions.

**133.** No owner, lessee or occupier of any such mines or minerals lying under the railway or any of the works connected therewith, or within forty yards therefrom, shall work the same until leave therefor has been first obtained from the Board.

Mining under or within 40 yards of any railway.

2. Upon any application to the Board for leave to work any such mine or minerals, the applicant shall submit a plan and profile of the portion of the railway to be affected thereby, and of the mining works or plant proposed to be constructed or operated, affecting the railway, giving all reasonable and necessary information and details as to the extent and character of the same.

Application for leave of Board.

3. The Board may grant such application upon such terms and conditions, as to protection and safety of the public, as to the Board seem expedient, and may order that such other

Protection and safety of the public.



works be executed, or measures taken, as under the circumstances appear to the Board best adapted to remove or diminish the danger arising, or likely to arise, from such mining operations.

*Taking or using Lands.*

Crown lands.

May not alienate.

Lands held by Crown in trust.

Public beach and lands covered with water.

Naval or military lands.

Indian lands.

**134.** No company shall take possession of, use or occupy any lands vested in the Crown, without the consent of the Governor in Council; but with such consent, any such company may, upon such terms as the Governor in Council prescribes, take and appropriate, for the use of its railway and works, but not alienate, so much of the lands of the Crown lying on the route of the railway as have not been granted or sold, and as is necessary for such railway, as also so much of the public beach, or of land so vested covered with the waters of any lake, river or stream, or of their respective beds, as is necessary for making and completing and using its said railway and works; and whenever any such lands are vested in the Crown for any special purpose, or subject to any trust, the compensation money which the Company pays therefor shall be held or applied by the Governor in Council for the like purpose or trust. 51 V., c. 29, s. 99, Am.

2. The extent of the public beach, or of the land covered with the waters of any river or lake in Canada, taken for the railway, shall not exceed the quantity hereinafter limited in the case of lands which may be taken without the consent of the owner. 51 V., c. 29, s. 105, Am.

**135.** Whenever it is necessary for the company to occupy any part of the lands belonging to the Crown reserved for naval or military purposes, it shall first apply for and obtain the license and consent of the Crown, under the hand and seal of the Governor General, and having obtained such license and consent, it may, at any time or times, enter into and enjoy any of the said lands for the purposes of the railway; but in the case of any such naval or military reserves, no such license or consent shall be given, except upon a report first made thereupon by the naval or military authorities in which such lands are for the time being vested, approving of such license and consent being so given. 51 V., c. 29, s. 100, Am.

**136.** No company shall take possession of, or occupy, any portion of any Indian reserve or land, without the consent of the Governor in Council; and when, with such consent, any portion of any such reserve or lands is taken possession of, used or occupied by any company, or when the same is injuriously affected by the construction of any railway, compensation shall be made therefor as in the case of lands taken without the consent of the owner. 51 V., c. 29, s. 101, Am.



**137.** The company may, for the purpose of obtaining a right of way over or through lands owned or occupied by any other railway company, and for obtaining the use of the tracks, stations or station grounds of another railway company, or for the purpose of constructing and operating its railway, take possession of, use or occupy any lands belonging to any other railway company, and use and enjoy such right of way, tracks, stations or station grounds, subject always to the approval of the Board first obtained, and to any order or direction which the Board may make in regard to the exercise, enjoyment or restriction of such powers or privileges. Lands of other companies.

2. Such approval may be given upon application and notice, and after hearing, the Board may make such order, give such directions, and impose such conditions or duties upon either party, as to it may appear just or desirable, having due regard for the public and all proper interests; and in case the parties fail to agree as to compensation, the Board may, by order, fix the amount of compensation to be paid in respect of the powers and privileges so granted. 51 V., c. 29, s. 102, Am. Powers of Board on application. Compensation.

**138.** The lands which may be taken without the consent of the owner :— Extent of lands which may be taken.

For the right of way shall not exceed one hundred feet in breadth, except in places where the rail-level is, or is proposed to be, more than five feet above or below the surface of the adjacent lands, when such additional width may be taken as shall suffice to accommodate the slope and side ditches; For right of way.

For stations, depots and yards, with the freight sheds, warehouses, wharfs, elevators and other structures for the accommodation of traffic incidental thereto, shall not exceed one mile in length by five hundred feet in breadth, including the width of the right of way. 51 V., c. 29, s. 103, Am. For stations, etc.

**139.** Should the company require, at any point on the railway, more ample space than it then possesses or may take under the preceding section, for the convenient accommodation of the public, or the traffic on its railway, or for protection against snowdrifts, it may apply to the Board for authority to take the same, for such purposes, without the consent of the owner. Where more ample space required.

2. The company shall give ten days' notice of such application to the owner or possessor of such lands, and shall furnish copies of such notices, with affidavits of the service thereof, to the Board upon such application. Procedure thereon. Notice.

3. The company, upon such application, shall also furnish to the Board, in duplicate,— What application must include.

A plan, profile and book of reference of the portion of the railway affected, showing the additional lands required, and certified as provided in section 129 of this Act.

An application, in writing, for authority to take such lands, signed and sworn to by any of the aforementioned officers,

referring to the plan, profile and book of reference, specifying definitely and in detail the purposes for which each portion of the lands are required, and the necessity for the same, and showing that no other land suitable for such purposes can be acquired at such place on reasonable terms and with less injury to private rights.

Authority  
from Board.

4. After the time stated in the aforementioned notices, and the hearing of such parties interested as may appear, the Board may, in its discretion, and upon such terms and conditions as the Board deems expedient, authorize in writing the taking, for the said purposes, of the whole or any portion of the lands applied for. Such authority shall be executed in duplicate, one to be filed with the plan, profile, book of reference, application and notices with the Board, and the other, with the duplicate plan, profile, book of reference and application, to be delivered to the company.

Deposit with  
Board.

Deposit with  
registrars of  
deeds.

5. Such duplicate authority, plan, profile, book of reference and application, or copies thereof certified as such by the Secretary, shall be deposited with the registrars of deeds of the districts or counties, respectively, in which such lands are situate.

Sections of  
Act to apply.

6. All the provisions of this Act applicable to the taking of lands for the right of way, or main line, of the railway without the consent of the owner of such lands, shall apply to the lands authorized to be taken under this section, excepting sections one hundred and twenty-three and one hundred and twenty-four. 51 V., c. 29, ss. 106 to 111, Am.

Exceptions.

Use of lands  
adjoining  
right of way  
during  
construction  
or repair of  
railway.

**140.** The company, either for the purpose of constructing or repairing its railway, or for the purpose of carrying out the requirements of the Board, or in the exercise of the powers conferred upon it by the Board, may enter upon any land which is not more than six hundred feet distant from the centre of the located line of the railway, and may occupy the said land as long as is necessary for the purposes aforesaid; and all the provisions of law at any time applicable to the taking of land by the company, and its valuation, and the compensation therefor, shall apply to the case of any land so required; but before entering upon any land for the purposes aforesaid, the company shall, in case the consent of the owner is not obtained, pay into the office of one of the superior courts for the province in which the land is situated, such sum, with interest thereon for six months, as is, after two clear days' notice to the owner of the land, or to the person empowered to convey the same, or interested therein, fixed by a judge of any one of such superior courts. Such deposit shall be retained to answer any compensation which may be awarded the person entitled thereto, and may upon order of a judge of such court, be paid out to such person in satisfaction *pro tanto* of such award; the surplus, if any, thereafter remaining shall by order of the judge, be repaid to the company, and any deficiency therein to satisfy such award shall be forthwith paid

Deposit where  
consent of  
owner not  
obtained.

Compensa-  
tion.

by the company to the person entitled to compensation under such award. 51 V., c. 29, s. 112 Am.

**141.** Whenever stone, gravel, earth, sand, water or other material is required for the construction or maintenance or operation of the railway, or any part thereof, or whenever such materials or water, so required, are situate, or have been brought to a place, at a distance from the line of railway, and the company desires to lay down the necessary tracks, spurs or branch lines, water pipes or conduits, over or through any lands intervening between the railway and the land on which such materials or water are situate, or to which it has been brought, the company may, if it cannot agree with the owner of the lands for the purchase thereof, cause a land surveyor, duly licensed to act in the province, or an engineer to make a plan and description of the property or right of way, and shall serve upon each of the owners or occupiers of the lands affected, a copy of such plan and description, or of so much thereof as relates to the lands owned or occupied by them respectively, duly certified by such surveyor or engineer, and all the provisions of this Act, except section 123, shall apply, and the powers thereby granted may be used and exercised, to obtain the materials or water, so required, or the right of way to the same, irrespective of the distance thereof.

Obtaining materials or water for construction, etc.

Right of way thereto.

Procedure.

2. The company may, at its discretion, acquire the lands from which such material or water is taken, or upon which the right of way thereto is located, for a term of years or permanently. The notice of arbitration, if arbitration is resorted to, shall state the extent of the privilege and title required.

Title or privilege may be temporary or permanent.

3. The tracks, spurs or branch lines constructed or laid by the company under this section shall not be used for any purpose other than aforementioned, except by leave of the Board and subject to such terms and conditions as the Board sees fit to impose. 51 V., c. 29, s. 113, Am.; 2 Ed. VII., c. 29, s. 1, Am.

Tracks, etc., not to be used for other purposes.

**142.** Whenever the company can purchase a larger quantity of land from any particular owner at a more reasonable price, on the average, or on more advantageous terms, than it could obtain the portion thereof which it may take from him without his consent, it may purchase the same, and upon such purchase may sell and dispose of any part thereof which may be unnecessary for its undertaking. 51 V., c. 29, s. 115, Am.

When company may purchase whole of any lot of land traversed.

**143.** Every company may, on and after the first day of November, in each year, enter into and upon any lands of His Majesty, or of any person, lying along the route or line of the railway, and may erect and maintain snow fences thereon, subject to the payment of such land damages, if any, as are thereafter established, in the manner provided by law with respect to such railway, to have been actually suffered; but every snow fence so erected shall be removed on or before the first day of April then next following. 51 V., c. 29, s. 116, Am.

Erection of snow fences.

Compensation.

Removal.



Authority to certain persons to sell and convey lands to the company.

**144.** All tenants in tail or for life, *grevés de substitution*, guardians, curators, executors, administrators, trustees and all persons whomsoever, not only for and on behalf of themselves, their heirs and successors, but also on behalf of those whom they represent, whether infants, issue unborn, lunatics, idiots, *femes-covert* or other persons, seized, possessed of or interested in any lands, may contract and sell and convey to the company all or any part thereof. 51 V., c. 29, s. 136.

Order of judge requisite.

**145.** When such persons have no right in law to sell or convey the rights of property of the said land, they may obtain from a judge, after due notice to the persons interested, the right to sell the said land; and the said judge shall give such orders as are necessary to secure the investment of the purchase money, in such a manner as he deems necessary, in accordance with the law of the province, to secure the interests of the owner of the said land. 51 V., c. 29, s. 137, Am.

Limitation of powers to sell and convey in certain cases.

**146.** The powers, by the last two preceding sections conferred upon rectors in possession of glebe lands in the province of Ontario, ecclesiastical and other corporations, trustees of land for church or school purposes, executors appointed by wills under which they are not invested with any power over the real property of the testator, administrators of persons dying intestate, but at their death seized of real property, shall only extend and be exercised with respect to any of such lands actually required for the use and occupation of the company. 51 V., c. 29, s. 138, Am.

Effect of conveyance under preceding sections.

**147.** Any contract, agreement, sale, conveyance and assurance, so made hereunder shall be valid and effectual in law, to all intents and purposes whatsoever, and shall vest in the company receiving the same, the fee simple in the lands in such deed thereof described, freed and discharged from all trusts, restrictions and limitations whatsoever; and the person so conveying is hereby indemnified for what he does by virtue of or in pursuance of this Act. 51 V., c. 29, s. 139, Am.

Indemnity to persons acting in pursuance of this Act.

Responsibility as to purchase money.

**148.** The company shall not be responsible for the disposition of any purchase money for lands taken by it for its purposes, if paid to the owner of the land, or into court for his benefit. 51 V., c. 29, s. 140.

Contracts made before deposit of plans, etc.

**149.** Any contract or agreement made by any person authorized by this Act to convey lands, either before the deposit of the plan, profile and book of reference, or before the setting out and ascertaining of the lands required for the railway, shall be binding at the price agreed upon for the same lands, if they are afterwards so set out and ascertained within one year from the date of the contract or agreement, and although such land has, in the meantime become the property of a third person; and possession of the land may be taken,



and the agreement and price may be dealt with, as if such price had been fixed by an award of arbitrators as hereinafter provided, and the agreement shall be in the place of an award 51 V., c. 29, s. 141, Am.

**150.** All persons who cannot, in common course of law, sell or alienate any lands so set out and ascertained, shall agree upon a fixed annual rent as an equivalent, and not upon a principal sum, to be paid for the lands; and if the amount of the rent is not fixed by agreement, it shall be fixed and all proceedings shall be regulated, in the manner herein prescribed. 51 V., c. 29, s. 142, Am.

Rental shall be fixed when parties cannot sell.

**151.** Such annual rent and every other annual rent, agreed upon or ascertained, and to be paid for the purchase of any lands, or for any part of the purchase money of any lands, which the vendor agrees to leave unpaid, shall be chargeable as part of the working expenditure of the railway upon the deed creating such charge and liability being duly registered in the registry office of the proper district, county or registration division. 51 V., c. 29, s. 143, Am.

Lien for payment of rent.

**152.** After the expiration of ten days from the deposit of the plan, profile and book of reference in the office of the registrar of deeds, and after notice thereof has been given in at least one newspaper, if there is any, published in each of the districts and counties through which the railway is intended to pass, application may be made to the owners of lands, or to persons empowered to convey lands, or interested in lands, which may suffer damage from the taking of materials, or the exercise of any of the powers granted for the railway; and, thereupon, agreements and contracts may be made with such persons, touching the said lands or the compensation to be paid for the same, or for the damages, or as to the mode in which such compensation shall be ascertained, as seems expedient to both parties; and in case of disagreement between them, or any of them, all questions which arise between them shall be settled as hereinafter provided. 51 V., c. 29, s. 144, Am.

Expropriation proceedings after deposit of plan, etc.

Notice.

Application to owners.

Agreements authorized.

Disagreements.

**153.** The deposit of a plan, profile and book of reference, and the notice of such deposit, shall be deemed a general notice to all parties of the lands which will be required for the railway and works; and the date of such deposit shall be the date with reference to which such compensation or damages shall be ascertained. 51 V., c. 29, s. 145, Am.

Filing plan deemed general notice.

Date for purposes of valuation.

**154.** The notice served upon the party shall contain—  
(a.) a description of the lands to be taken, or of the powers intended to be exercised with regard to any lands, and describing the lands;

What notice must contain.

(b.) a declaration of readiness to pay some certain sum or rent, as the case may be, as compensation for such lands or for such damages. 51 V., c. 29, s. 146, Am.

Must be accompanied by certificate.

**155.** Such notice shall be accompanied by the certificate of a sworn surveyor for the province in which the lands are situated, or an engineer, who is a disinterested person, which certificate shall state—

Contents of certificate.

(a.) that the land, if the notice relates to the taking of land shown on the said plan, is required for the railway or is within the limit of deviation allowed by this Act;

(b.) that he knows the land, or the amount of damage likely to arise from the exercise of the powers; and

(c.) that the sum so offered is, in his opinion, a fair compensation for the land and damages aforesaid. 51 V., c. 29, s. 147, Am.

"Court" and "judge" defined.

**156.** In the following sections of this Act, down to section 174 inclusive, unless the context otherwise requires, the expression "court" shall mean a superior court of the province or district, or the county court of the county, where the lands lie, and the expression "judge" shall mean a judge of such superior court or county court; but any proceedings commenced in one court having proper jurisdiction shall be continued therein.

Service by publication.

**157.** If the opposite party is absent from the district or county in which the lands lie, or is unknown, an application for service by advertisement may be made to a judge. 51 V., c. 29, s. 148.

Procedure on service by publication.

**158.** The application for service by advertisement shall be accompanied by such certificate as aforesaid, and by an affidavit of some officer of the company, that the opposite party is so absent, or that, after diligent inquiry, the person on whom the notice ought to be served cannot be ascertained; and the judge shall order a notice as aforesaid, but without such certificate, to be inserted, three times in the course of one month, in a newspaper published in the district or county, or if there is no newspaper published therein, then in a newspaper published in some adjacent district or county. 51 V., c. 29, s. 149.

Failure to accept after service of notice.

**159.** If within ten days after the service of such notice, or within one month after the first publication thereof, the opposite party does not give notice to the company that he accepts the sum offered by it, the judge shall, on the application of the company, six days' notice of which shall be given to the opposite party, appoint a person to be sole arbitrator for determining the compensation to be paid as aforesaid: Provided that the judge shall, at the request of either party on such application, appoint three arbitrators to determine such compensation, one of whom may be named by each party on such application. 51 V., c. 29, s. 150, Am.

Appointment of arbitrator.

Three arbitrators, if requested by either party.

Call of arbitrators.

**160.** The arbitrators, or the sole arbitrator, as the case may be, shall be sworn before a justice of the peace for the district

or county in which the lands lie, faithfully and impartially to perform the duties of their or his office, and shall proceed to ascertain such compensation in such way as they or he, or a majority of them, deem best; and the award of such arbitrators, or of any two of them, or of the sole arbitrator, shall be final and conclusive, except as hereinafter provided; but no such award shall be made, nor any official act be done, by such majority, except at a meeting held at a time and place of which the other arbitrator has had at least two clear days' notice, or to which some meeting at which the third arbitrator was present had been adjourned. 51 V., c. 29, s. 152, Am.

Duties.

Award.

Procedure.

**161.** The arbitrator or arbitrators, in deciding on such value or compensation, shall take into consideration the increased value, beyond the increased value common to all lands in the locality, that will be given to any lands through or over which the railway will pass, by reason of the passage of the railway through or over the same, or by reason of the construction of the railway, and shall set off such increased value that will attach to the said lands or grounds, against the inconvenience, loss or damage that might be suffered or sustained by reason of the company taking possession of or using the said lands as aforesaid. 51 V., c. 29, s. 153.

Increased value of remaining lands to be considered.

**162.** If by an award of arbitrators made under this Act, the sum awarded exceeds the sum offered by the company, the costs of the arbitration shall be borne by the company; but if otherwise, they shall be borne by the opposite party, and be deducted from the compensation, and in either case the amount of such costs, if not agreed upon, may be taxed by the judge. 51 V., c. 29, s. 154.

Costs where award exceeds or is less than company's offer.

**163.** The arbitrators, or a majority of them, or the sole arbitrator, shall examine on oath or solemn affirmation the parties or such witnesses as appear before them or him. 51 V., c. 29, s. 155 (1), Am.

Arbitrators may take evidence under oath.

2. Such arbitrator or arbitrators shall have and may exercise with respect to such arbitration all the powers mentioned in section 49 of this Act, excepting paragraph (c) of subsection 1 thereof, and section 50 of this Act shall apply to persons attending and giving evidence at any such arbitration.

Powers of arbitrators.

Witnesses.

3. The arbitrators shall take down in writing the evidence brought before them, unless either party requires that it be taken by means of stenography; in which case a stenographer shall be named by the arbitrators, unless the parties agree upon one, and shall be sworn before the arbitrators, or before any one of them before entering upon his duties; and the expense of such stenographer, if not determined by agreement between the parties, shall be taxed by the court or judge, and shall, in any case, form part of the costs of the arbitration; and after making their award the arbitrators shall forthwith deliver or transmit by registered letter, at the request of either party

Stenographers

Depositions transmitted to clerk of the court.



party in writing, the depositions, together with the exhibits referred to therein, and all papers connected with the reference, except the award, to the clerk of the court, to be filed with the records of the said court. 54-55 V., c. 51, s. 1, Am.

Time within which award is to be made.

**164.** A majority of the arbitrators, at the first meeting after their appointment, or the sole arbitrator, shall fix a day on or before which the award shall be made, and if the same is not made on or before such day, or some other day to which the time for making it has been prolonged, either by the consent of the parties, or by resolution of the arbitrators, then the sum offered by the company, as aforesaid, shall be the compensation to be paid by the company. 51 V., c. 29, s. 156.

Award not invalidated for want of form.

2. No award shall be invalidated by reason of any want of form or other technical objection, if the requirements of this Act have been substantially complied with, and if the award states clearly the sum awarded, and the lands or other property, right or privilege for which such sum is to be the compensation; and the person to whom the sum is to be paid need not be named in the award.

Vacancies in office of arbitrator.

**165.** If any arbitrator appointed by the judge dies before the award has been made, or is disqualified, or refuses or fails to act within a reasonable time, the judge, upon the application of either party, of which application six days' notice shall be given to the opposite party, and upon being satisfied by affidavit or otherwise of such death, disqualification, refusal or failure, shall appoint another arbitrator in the place of such arbitrator: Provided that in the case of any arbitrator, named by one of the parties and appointed by the judge, so dying or not acting, such party may, upon such application, name the arbitrator who shall be appointed by the judge in the place of the arbitrator so deceased or not acting; but no recommencement or repetition of the previous proceedings shall be required in any case. 51 V., c. 29, s. 157, Am.

No recommencement of proceedings.

Company may abandon proceedings.

**166.** Where the notice given improperly describes the land or materials intended to be taken, or where the company decides not to take the land or materials mentioned in the notice, it may abandon the notice and all proceedings thereunder, but shall be liable to the person notified for all damages or costs incurred by him in consequence of such notice and abandonment—such costs to be taxed in the same manner as costs after an award; and the company may give to the same or any other person notice for other land or materials, or for land or materials otherwise described notwithstanding the abandonment of the former notice. 51 V., c. 29, s. 158.

Damages and costs in such event.

When arbitrator interested in compensation.

**167.** The person offered or appointed as valuator, or as sole arbitrator, shall not be disqualified because he is professionally employed by either party, or has previously expressed an opinion as to the amount of compensation, or because he is related



lated or of kin to any shareholder of the company, if he is not himself personally interested in the amount of the compensation; and no cause of disqualification shall be urged against any arbitrator appointed by the judge after his appointment, but the objection shall be made before the appointment and its validity or invalidity shall be summarily determined by the judge. 51 V., c. 29, s. 159.

Time for  
taking  
objection.

**168.** Whenever the award exceeds six hundred dollars, any party to the arbitration may within one month after receiving a written notice from any one of the arbitrators or the sole arbitrator, as the case may be, of the making of the award, appeal therefrom upon any question of law or fact to a superior court; and upon the hearing of the appeal the court shall, if the same is a question of fact, decide the same upon the evidence taken before the arbitrators, as in a case of original jurisdiction.

Appeal from  
award.

2. Upon such appeal the practice and proceedings shall be, as nearly as may be, the same as upon an appeal from the decision of an inferior court to the said court, subject to any general rules or orders from time to time made by the said last-mentioned court, in respect to such appeals, which orders may amongst other things provide that any such appeal may be heard and determined by a single judge.

Practice and  
proceedings  
on appeal.

3. The right of appeal hereby given shall not affect the existing law or practice in any province as to setting aside awards. 51 V., c. 29, s. 161, Am.

Other  
remedies not  
affected.

**169.** Upon payment or legal tender of the compensation or annual rent, so awarded or agreed upon, to the person entitled to receive the same, or upon the payment into court of the amount of such compensation, in the manner hereinafter mentioned, the award or agreement shall vest in the company the power forthwith to take possession of the lands, or to exercise the right, or to do the thing for which such compensation or annual rent has been awarded or agreed upon; and if any resistance or forcible opposition is made by any person to its so doing, the judge shall, on proof to his satisfaction of such award or agreement, issue his warrant to the sheriff of the district or county, or to a bailiff as he deems most suitable, to put down such resistance or opposition, and to put the company in possession; and the sheriff or bailiff shall take with him sufficient assistance for such purpose, and shall put down such resistance or opposition and put the company in possession. 51 V., c. 29, s. 162, Am.

When  
possession  
may be taken  
by company.

Where  
forcible  
resistance  
is offered.

**170.** Such warrant shall also be granted by the judge without such award or agreement, on affidavit to his satisfaction that the immediate possession of the lands, or of the power to do the thing mentioned in the notice, is necessary to carry on some part of the railway with which the company is ready forthwith to proceed. 51 V., c. 29, s. 163, Am.

Warrant for  
immediate  
possession in  
certain cases.

Procedure  
upon  
application  
for such  
warrant.

**171.** The judge shall not grant any warrant under the next preceding section, unless ten days' previous notice of the time and place when and where the application for such warrant is to be made has been served upon the owner of the land or the person empowered to convey the land, or interested in the land sought to be taken, or which may suffer damage from the taking of materials sought to be taken, or the exercise of the powers sought to be exercised, or the doing of the thing sought to be done, by the company; and unless the company gives security to his satisfaction, by deposit, in a chartered bank designated by him, to the credit of the company and such person or party jointly, of a sum in his estimation sufficient to cover the probable compensation and costs of the arbitration, and not less than fifty per cent above the amount mentioned in the notice served under section 154. 51 V., c. 29, s. 164, Am.

Deposit of  
compensation

Costs of  
application.

**172.** The costs of any such application to, and of any such hearing before, the judge, shall be borne by the company, unless the compensation awarded is not more than the company had offered to pay; and no part of such deposit or of any interest thereon shall be repaid, or paid to such company, or paid to such owner or party, without an order from the judge, which he may make in accordance with the terms of the award. 51 V., c. 29, s. 165.

Payment.

Compensation  
to stand in  
place of the  
land.

**173.** The compensation for any lands which may be taken without the consent of the owner, shall stand in the stead of such lands; and any claim to or encumbrance upon the said lands, or any portion thereof, shall, as against the company, be converted into a claim to the compensation, or to a like proportion thereof; and the company shall be responsible accordingly, whenever it has paid such compensation or any part thereof, to a person not entitled to receive the same, saving always its recourse against such person. 51 V., c. 29, s. 166.

Encum-  
brances.

Payment of  
compensation  
into court in  
certain cases.

**174.** If the company has reason to fear any claim, mortgage, *hypothèque*, or encumbrance, or if any person to whom the compensation or annual rent, or any part thereof, is payable, refuses to execute the proper conveyance and guarantee, or if the person entitled to claim the same cannot be found, or is unknown to the company, or if, for any other reason, the company deems it advisable, the company may pay such compensation into court, with the interest thereon for six months, and may deliver to the clerk or prothonotary of such court an authentic copy of the conveyance, or of the award or agreement, if there is no conveyance; and such conveyance, or award or agreement shall thereafter be deemed to be the title of the company to the land therein mentioned. 51 V., c. 29, s. 167, Am.

Notice of  
payment into  
court, when

2. Where the lands are situated elsewhere than in the province of Quebec, a notice, of such payment and delivery, in such

form and for such time as the court appoints, shall be inserted in a newspaper, if there is any, published in the county in which the lands are situated, or if there is no newspaper published in the county, then in the official gazette of the province, and also in a newspaper published in the nearest county thereto in which a newspaper is published, which shall state that the title of the company (that is, the conveyance, agreement or award) is under this Act, and shall call upon all persons claiming an interest in or entitled to the lands, or any part thereof, to file their claims to the compensation, or any part thereof. 51 V., c. 29, s. 168, Am.

lands not in Quebec.

Proceedings.

3. Where the lands are situated in the province of Quebec, the notice shall be published as is required in cases of confirmation of title, and the registrar's certificate shall be procured and filed as in such cases. 51 V., c. 29, s. 170, Am.

Where lands situated in Quebec.

4. All such claims filed shall be received and adjudicated upon by the court, and the adjudication thereon shall for ever bar all claims to the land, or any part thereof, including any dower, mortgage, *hypothèque* or encumbrance upon the same; and the court shall make such order for the distribution, payment or investment of the compensation, and for the security of the rights of all persons interested, as to right and justice, and to law appertains. 51 V., c. 29, s. 171, Am.

Effect of adjudication.

5. The costs of the proceedings, in whole or in part, including the proper allowances to witnesses, shall be paid by the company, or by any other person, as the court orders, and if the order for distribution, payment, or investment is obtained in less than six months from the payment of the compensation into court, the court shall direct a proportionate part of the interest to be returned to the company; and if from any error, fault or neglect of the company, it is not obtained until after six months have expired, the court shall order the company to pay into court, as part of the compensation, the interest for such further period as is right. 51 V., c. 29, s. 172, Am.

Costs.

Interest

### *Branch Lines.*

**175.** The company may for the purposes of its undertaking construct, maintain and operate branch lines, not exceeding in any one case six miles in length, from the main line of the railway or from any branch thereof. Before commencing to construct any such branch line the company shall obtain the authority of the Board and comply with the following provisions :—

Power to construct branch lines.

2. The company shall make a plan, profile and book of reference, showing the proposed location of the branch line and conforming to the requirements of section 122, and shall deposit the same or such parts thereof as relate to each district or county through which the branch line is to pass, in the offices of the registrars of deeds for such districts or counties respectively.

Deposit of plans with registrars of deeds.



Notice of application to Board.

3. Upon such deposit, the company shall give four weeks' public notice of its intention to apply to the Board under this section, in some newspaper published in each county through which the branch line is to pass, or, if there should be no paper published in such county or counties, then for the same period in *The Canada Gazette*.

Procedure on application.

4. After the expiration of the notice the company shall submit to the Board, upon such application, a duplicate of the plan, profile and book of reference so deposited. The Board, if satisfied that the branch line is necessary in the public interest or for the purpose of giving increased facilities to business, and if satisfied with the location of such branch line, and the grades and curves as shown on such plan, profile and book of reference, may, in writing, authorize the construction of the branch line in accordance with such plan, profile and book of reference, or subject to such changes in location, grades and curves as the Board may direct; and such authority shall limit the time, not exceeding two years, within which the company shall construct and complete such branch line.

Limit of time for construction.

Deposit of authority, etc. in registry offices.

5. There shall be deposited with the Board the authority, and the duplicate of such plan, profile and book of reference, together with such papers and plans as are necessary to show and explain any changes directed by the Board, under the provisions of subsection 4 of this section. The company shall deposit in the registry offices, mentioned in subsection 2 of this section, copies, certified as such by the Secretary, of the authority, and of the papers and plans showing the changes directed by the Board.

Application of Act.

6. Upon compliance with this section, all the provisions, except sections 123 and 124, of this Act, shall apply to the branch line so authorized and to the lands to be taken for such branch line.

No extension is allowed.

7. No branch line shall be extended under the provisions of this section; nor shall any branch line be constructed so as to form, in effect, an extension of the railway beyond the termini mentioned in the Special Act.

Lapse of power inconsistent with this section.

8. Except with reference to branch lines authorized by the Special Act to be constructed between any two points or places definitely fixed or named therein, no power to construct branch lines in any Special Act contained, inconsistent with the provisions of this section shall have any force or effect after three years from the passing of this Act. Nothing in this subsection shall be deemed to take away or impair the rights or powers of any company under any contract with the Government of Canada, approved and ratified by a Special Act of the Parliament of Canada. Sub. for 51 V., c. 29, s. 121.

Saving.

Branch lines to industry within 6 miles of railway may be ordered by Board.

**176.** Where the owner of any industry established, or intended to be established, within six miles of the railway, is desirous of obtaining railway facilities in connection therewith, but cannot agree with the company as to the construction and operation of a spur or branch line from the railway thereto,



the Board may, on the application of such owner, and upon being satisfied of the necessity for such spur or branch line in the interests of trade, order the company to construct, maintain and operate such branch line or spur, and may direct such owner to deposit in some chartered bank such sum or sums as are by the Board deemed sufficient, or are by it found to be necessary to defray all expenses of constructing and completing the spur or branch line in good working order, including the cost of the right of way, incidental expenses and damages; and the amount so deposited shall, from time to time, be paid to the company upon the order of the Board, as the work progresses.

Deposit to be made by owner of industry.

Payments therefrom to company.

2. The aggregate amount so paid by the owner in the construction and completion of the said spur or branch line shall be repaid or refunded to the owner by the company by way of rebate, to be determined and fixed by the Board, out of or in proportion to the tolls charged by the company in respect of the carriage of traffic for the owner over the said spur or branch line; and until so repaid or refunded, the owner shall have a special lien therefor, upon such branch line, to be reimbursed by rebate as aforesaid.

Owner to be refunded by rebate on tolls.

Owner's lien until reimbursed.

3. Upon repayment by the company to such owner of all payments made by the owner upon such construction, the said spur or branch line, right of way, and equipment shall become the absolute property of the company free from any such lien.

Discharge of lien.

4. The operation and maintenance of the said spur or branch line, by the company, shall be subject to and in accordance with such order as the Board makes with respect thereto, having due regard to the requirements of the traffic thereon and to the safety of the public and of the employees of the company.

Operation of branch to be regulated by Board.

5. All the provisions of this Act respecting the construction of spur or branch lines shall apply to any spur or branch line constructed under this section.

Provisions applicable.

### *Crossings and Junctions.*

**177.** The railway lines or tracks of any company shall not be crossed or joined by or with the railway lines or tracks of any other company until leave therefor has been obtained from the Board as hereinafter provided. 56 V., c. 27, s. 1, Am.

Railway crossings and junctions. Power of the Board.

2. Upon any application for such leave the applicant company shall submit to the Board a plan and profile of such crossing or junction, and such other plans, drawings and specifications as the Board may in any case, or by regulation, require.

Proceedings on application to Board.

The Board may by order grant such application on such terms as to protection and safety as it may deem expedient, may change the plan and profile, drawings and specifications, so submitted and fix the place and mode of crossing or junction, and may direct that the lines and tracks of one company be carried over or under the lines and tracks of the other, and

Order of Board.

that such works, structures, equipment, appliances and materials be constructed, provided, installed, maintained, used or operated, watchmen or other persons employed, and measures taken, as under the circumstances appear to the Board best adapted to remove and prevent all danger of accident, injury or damage, and may determine the amount of damage and compensation, if any, to be paid for any property or land taken or injuriously affected by reason of the construction of such works.

Supervision  
of works.

3. The Board may give directions as to supervision of the construction of the works, and order that detailed plans, drawings and specifications of any works, structures, equipment or appliances required, shall, before construction or installation, be submitted to and approved by the Board.

Order  
authorizing  
operation.

4. No trains shall be operated on the lines or tracks of the applicant company over, upon or through such crossing or junction until the Board grants an order authorizing such operation, but the Board shall not grant such order until satisfied that its orders and directions have been carried out, and that the provisions of this section have been complied with. 51 V., c. 29, s. 174, Am.

Safety  
appliances  
on rail-level  
crossings.

**178.** The Board may order any company to adopt and put in use at any such crossing or junction, at rail level, such interlocking switch, derailing device, signal system, equipments, appliances and materials, as in the opinion of the Board renders it safe for engines and trains to pass over such crossing or junction without being brought to a stop. 51 V., c. 29, s. 175, Am.

### *Navigable Waters.*

Navigation  
not to be  
obstructed.

**179.** No company shall cause any obstruction in, or impede, the free navigation of any river, water, stream or canal, to, upon, along, over, under, through or across which its railway is carried. 51 V., c. 29, s. 178, Am.

Bridges to  
be properly  
floored.

**180.** No company shall run its trains over any canal, or over any navigable water, without having first laid, and without maintaining, such proper flooring under and on both sides of its railway track over such canal or water, as is deemed by the Board sufficient to prevent anything falling from the railway into such canal or water, or upon the boats, vessels, craft, or persons navigating such canal or water. 51 V., c. 29, s. 180, Am.

Spans of  
headway and  
waterway of  
bridges.

**181.** Whenever the railway is, or is proposed to be, carried over any navigable water or canal by means of a bridge, the Board may by order in any case, or by regulations, direct that such bridge shall be constructed with such span or spans of such headway and waterway, and with such opening span or spans (if any), as to the Board may seem expedient for the

proper protection of navigation, and, if any such bridge is a draw or swing bridge, when, under what conditions and circumstances, and subject to what precautions, the same shall be opened and closed. 51 V., c. 29, s. 179, Am.

**182.** When the company is desirous of constructing any wharf, bridge, tunnel, pier or other structure or work in, upon, over, under, through, or across any navigable water or canal, or upon the beach, bed or lands covered with the waters thereof, the company shall before the commencement of any such work, comply with the following provisions :—

2. The company shall, in the case of navigable water, not a canal, submit to the Minister of Public Works, and in the case of a canal to the Minister, a plan and description of the proposed site for such work and a general plan of the work to be constructed, to the satisfaction of such Minister, for a recommendation to the Governor in Council for approval.

3. Upon approval by the Governor in Council of such site and plans, the company shall apply to the Board for an order authorizing the construction of the work, and with such application shall transmit to the Board a certified copy of the Order in Council and of the plans and description approved thereby, and also detail plans and profiles of the proposed work, and such other plans, drawings and specifications as the Board may in any such case, or by regulation, require.

4. No deviation from the site or plans approved by the Governor in Council, shall be made without the consent of the Governor in Council.

5. Upon any such application, the Board may make such order in regard to the construction of such work upon such terms and conditions as it may deem expedient, may make alterations in the detail plans, profiles, drawings and specifications so submitted, may in or by such order give directions respecting the supervision of any such works, and may require that such other works, structures, equipments, appliances and materials be provided, constructed, maintained, used and operated, and measures taken, as under the circumstances of each case may appear to the Board best adapted for securing the protection, safety and convenience of the public.

6. Upon such order being granted the company shall be authorized to construct such work in accordance therewith.

7. Upon the completion of any such work the company shall, before using or operating the same, apply to the Board for an order authorizing such use or operation, and, if the Board is satisfied that its orders and directions have been carried out, and that such work may be used or operated without danger to the public, and that the provisions of this section have been complied with, the Board may grant such order. 51 V., c. 29, s. 181, Am.

**183.** The Governor in Council may, upon the report of the Board, authorize or require any company to construct fixed and



form of  
bridge.

Penalty.

and permanent bridges, or swing, draw or movable bridges, or to substitute any of such bridges for existing bridges on the line of its railway, within such time as the Governor in Council directs; and for every day after the period so fixed during which the company fails to comply with the directions of the Governor in Council, it shall forfeit and pay to His Majesty the sum of two hundred dollars; and no company shall substitute any swing, draw or movable bridge for any fixed or permanent bridge already built and constructed without the previous consent of the Governor in Council. 51 V., c. 29, s. 182, Am.

### *Highway Crossings.*

Railway on  
highway.

Consent of  
municipality.

No  
obstruction  
permitted.

Restoration  
of highway.

Rights saved.

Penalty.

**184.** The railway may be carried upon, along or across an existing highway upon leave therefor having been first obtained from the Board as hereinafter provided, but the Board shall not grant leave to any company to carry any street railway or tramway, or any railway operated or to be operated as a street railway or tramway, along any highway which is within the limits of any city or incorporated town, until the company has first obtained consent therefor by a by-law of the municipal authority of such city or incorporated town.

2. No obstruction of such highway with the works shall be made without turning the highway so as to leave an open and good passage for carriages, and, on completion of the works, restoring the highway to a good condition, as nearly as possible, as it was originally.

3. Nothing in this section shall deprive any such company of rights conferred upon it by any Special Act of the Parliament of Canada, or amendment thereof, passed prior to the present session of Parliament.

4. Every company which violates the provisions of this section shall incur a penalty of not less than forty dollars for each such violation. 51 V., c. 29, s. 183, Am.

Variation of  
inch between  
rail and levels  
of highway  
permitted.

**185.** Whenever the railway crosses any highway at rail level, whether the level of the highway remains undisturbed or is raised or lowered to conform to the grade of the railway, the top of the rail may, when the works are completed, rise above or sink below the level of the highway to the extent of one inch without being deemed an obstruction, unless otherwise directed by the Board. 51 V., c. 29, s. 184, Am.

Plan of  
crossing of  
highway to be  
submitted.

**186.** Upon any application for leave to construct the railway upon, along, or across an existing highway, or to construct a highway across an existing railway, the applicant shall submit a plan and profile of such crossing, showing the portion of railway or highway affected, to the Board. The Board may by order grant such application upon such terms and conditions as to protection, safety and convenience of the public, as it may deem expedient, or may order that the highway be carried

Powers of  
Board in such  
case.



over or under the railway, or be temporarily or permanently diverted, and that such works be executed, watchmen or other persons employed, or measures taken as under the circumstances appear to the Board best adapted to remove or diminish the danger or obstruction arising or likely to arise therefrom.

2. When the application is for the construction of the railway upon, along or across an existing highway, all the provisions of law at such time applicable to the taking of land by the company, to its valuation and sale and conveyance to the company, and to the compensation therefor, shall apply to the land, exclusive of the highway crossing, required for the proper carrying out of any order made by the Board.

As to land required.

3. The Board may give directions respecting supervision in the construction of any such work.

Supervision of work.

4. When the Board orders that the highway be carried over or under the railway, or any works to be executed, the Board may direct that the detailed plans, profiles, drawings and specifications of all necessary structures, shall, before construction, be submitted to and approved by the Board. The Board may make regulations respecting the plans, profiles, drawings and specifications required to be submitted under this section. 51 V., c. 29, ss. 187, 188, Am.

Details to be approved by Board.

**187.** Where the railway is already constructed upon, along or across any highway, the Board may order the company within a specified time to submit to the Board a plan and profile of such portion of the railway, and may, upon such submission, make any order in respect thereto as in the previous section provided.

As to existing crossings.

**188.** The highway at any overhead railway crossing shall not at any time be narrowed by means of any abutment or structure to an extent less than twenty feet, nor shall the clear headway from the surface of the highway to the centre of any overhead structure constructed after the passing of this Act be less than fourteen feet, unless otherwise directed or permitted by the Board. 51 V., c. 29, s. 185, Am.

Height of bridge, etc.

**189.** Every structure, by which any highway is carried over or under any railway, shall be so constructed, and, at all times, be so maintained, as to afford safe and adequate facilities for all traffic passing over, under or through such structure.

All structures must be safely constructed and maintained.

**190.** The inclination of the ascent or descent, as the case may be, of any approach by which any highway is carried over or under any railway, or across it at rail level, shall not be greater than one foot of rise or fall for every twenty feet of the horizontal length of such approach, unless the Board directs otherwise; and a good and sufficient fence shall be made on each side of such approach, and of the structure connected with it,—which fence shall be at least four feet six inches in height from the surface of the approach or structure. 51 V., c. 29, s. 186, Am.

Inclination of highway.

Fencing approaches

Signboards  
at level  
crossings.

**191.** Signboards at every highway crossed at rail level by any railway, shall be erected and maintained at each crossing, and shall have the words "railway crossing" painted on each side of the sign board, in letters at least six inches in length, and, in the province of Quebec, such words shall be in both the English and the French languages; and every company which neglects to comply with the requirements of this section shall incur a penalty not exceeding forty dollars. 51 V., c. 29, s. 190, Am.

Penalty.

*Telegraph, Telephone and other Lines and Wires.*

Telegraph  
and telephone  
lines.

**192.** The company may construct and operate telegraph and telephone lines upon its railway, for the purposes of its undertaking; and for the purpose of operating such lines or exchanging and transmitting messages, may enter into contracts with any companies having telegraph or telephone powers, and may connect its own lines with the lines of, or may lease its own lines to, any such companies.

R.S.C., c. 132.

2. *The Electric Telegraph Companies Act* shall apply to the telegraphic business of the company.

Municipal  
telephone  
systems,  
connection  
with.

**193.** Whenever any municipality, corporation or incorporated company has authority to construct, operate and maintain a telephonic system in any district, and is desirous of obtaining telephonic connection or communication with or within any station or premises of the company, in such district, and cannot agree with the company with respect thereto, such municipality, corporation or incorporated company may apply to the Board for leave therefor, and the Board may order the company to provide for such connection or communication upon such terms as to compensation as the Board deems just and expedient, and may order and direct how, when, where, by whom and upon what terms and conditions such telephonic connection or communication shall be constructed, operated and maintained.

Wires, etc.,  
across  
railway.

**194.** No lines or wires for telegraphs, telephones, or the conveyance of light, heat, power or electricity, shall be erected, placed or maintained across the railway without leave of the Board.

Plans to be  
submitted  
to Board.

2. Upon any application for such leave, the applicant shall submit to the Board a plan and profile of the part of the railway proposed to be affected showing the proposed location of such lines and wires and the works contemplated in connection therewith; and the Board may grant such application and may order by whom, how, when, and on what terms and conditions, and under what supervision, such work shall be executed; and upon such order being made such lines and wires may be erected, placed and maintained across the railway subject to and in accordance with such order.

Order by  
Board.

**195.** When the company is empowered by the Special Act of the Parliament of Canada to construct, operate and maintain lines of telegraph, telephone, or for the conveyance of light, heat, power or electricity, the company may with the consent of the municipal council or other authority having jurisdiction over any highway, square, or other public place, enter thereon for the purpose of exercising the said powers, and, as often as the company thinks proper, may break up and open any highway, square or other public place, subject, however, to the following provisions:—

(a.) The company shall not interfere with the public right of travel, or in any way obstruct the entrance to any door or gateway or free access to any building ;

Lines and wires on highways.  
No interference with travel.

(b.) The company shall not permit any wire to be less than twenty-two feet above such highway or public place, nor erect more than one line of poles along any highway ;

Height of wires.  
One line of poles.

(c.) All poles shall be as nearly as possible straight and perpendicular, and shall, in cities and towns, be painted ;

Description of poles.

(d.) The company shall not be entitled to damages on account of its poles or wires being cut by direction of the officer in charge of the fire brigade at any fire, if in the opinion of such officer, it is advisable that such poles or wires be cut ;

Cutting poles or wires in case of fire.

(e.) The company shall not unnecessarily cut down or mutilate any shade, fruit or ornamental tree ;

No injury to trees.

(f.) The opening up of any street, square, or other public place for the erection of poles, or for carrying wires under ground, shall be subject to the supervision of such person as the municipal council may appoint, and such street, square or other public place shall, without any unnecessary delay, be restored, as far as possible, to its former condition ;

Supervision of municipality.

(g.) Whenever any city, town or incorporated village is desirous of having lines of telegraph, telephone, or for the conveyance of light, heat, power or electricity, placed under ground, the Board may, on the application of such city, town or incorporated village, require the company to thus place its lines or wires under ground, and abrogate the right given by this section or by the Special Act to carry lines on poles, in such city, town or incorporated village, the whole on such terms and conditions as the Board may prescribe ;

Surface of street to be restored.

Future legislation as to placing wires under ground.

(h.) Every person employed upon the work of erecting or repairing any line or instrument of the company shall have conspicuously attached to his dress a badge, on which are legibly inscribed the name of the company and a number by which he can be readily identified ;

Workmen to wear badges.

(i.) If for the purpose of removing buildings, or in the exercise of the public right of travel, it is necessary that the said wires or poles be temporarily removed, by cutting or otherwise, the company shall, at its own expense, upon reasonable notice in writing from any person requiring it, remove such wires and poles ; and in default of the company so doing such person may remove such wires and poles at the expense of the company ;

Temporary removal of wires or poles.



Liability for  
damage.

Refusal of  
consent by  
municipality;  
powers of  
Board.

As to sale of  
light, power,  
etc.

Drainage by  
company.

Necessary  
drainage may  
be ordered  
by Board.

(j.) The company shall be responsible for all unnecessary damage which it causes in carrying out, maintaining or operating any of its said works.

2. Provided that where the company cannot obtain such consent from such municipal council or other authority, the company may apply to the Board for leave to exercise such powers, and upon such application shall submit to the Board a plan of such highway, square, or other public place, showing the proposed location of such lines, wires, and poles, and the Board may grant such application, in whole or in part, and may change or fix the route of such lines, wires or poles, and may by order impose any terms, conditions or limitations in respect thereof that it deems expedient, having due regard to all proper interests; and upon such order being made the company may exercise such powers in accordance with such order, and shall in the performance and execution thereof, or in the repairing, renewing or maintaining of such lines, wires or poles, conform to and be subject to the provisions of subsection 1 of this section, as if consent had been obtained from such municipal council or other authority, except in so far as the said provisions are expressly varied by order of the Board.

3. Nothing contained in this section shall be deemed to authorize the company exercising the powers therein mentioned for the purpose of selling or distributing light, heat, power or electricity in cities, towns or villages, without the company having first obtained the consent therefor by a by-law of the municipality. 62-63 V., c. 37, s. 1, Am.

### *Drainage.*

**196.** The company shall in constructing the railway make and maintain suitable ditches and drains along each side of, and across and under the railway, to connect with ditches, drains, drainage works and watercourses upon the lands through which the railway runs, so as to afford sufficient outlet to drain and carry off the water, and so that the then natural, artificial, or existing drainage of the said lands shall not be obstructed or impeded by the railway.

2. Whenever any lands are injuriously affected by reason of the drainage upon, along, across, or under the railway being insufficient to drain and carry off the water from such lands, or whenever any municipality or landowner desires to obtain means of drainage, or the right to lay water pipes or other pipes, temporarily or permanently, through, along, upon, across or under the railway or any works or land of the company, the Board may, upon the application or complaint of the municipality or landowner, order the company to construct such drainage or lay such pipes, and may require the applicant to submit to the Board a plan and profile of the portion of the railway to be affected, or may direct an inspecting engineer, or such other person as it deems advisable to appoint, to inspect the locality in question and, if expedient, there hold



an inquiry as to the necessity or requirements for such drainage or pipes, and to make a full report thereon to the Board; the Board may upon such report, or in its discretion, order how, where, when, by whom, and upon what terms and conditions, such drainage may be effected, or pipes laid, constructed and maintained, having due regard to all proper interests. 51 V., c. 29, s. 14, Am.

**197.** Whenever by virtue of any Act of any province through which the railway runs, proceedings may be had or taken by any municipality or landowner for any drainage, or drainage works, upon and across the property of any other landowner in such province, the like proceedings may be had or taken by such municipality or landowner for drainage or drainage works upon and across the railway and lands of the company, at the option of such municipality or landowner, in the place of the proceedings before the Board as in the next preceding section provided, and thereupon the drainage laws of the province shall apply to the lands of the company upon or across which such drainage is required, to the same extent as to the lands of any landowner of such province, subject, however, to any previous order or direction of the Board made or given with respect to drainage of the same lands, and provided that the company shall have the option of constructing the portion of any drain or drainage work required to be constructed upon, along, under or across its railway or lands, and in the event of the company not exercising such option, and completing such work within a reasonable time, without any unnecessary delay, such work may be constructed or completed in the same manner as any other portions of such work are provided under the laws of such province to be constructed; provided always that no drainage works shall be constructed or reconstructed upon, along, under or across the railway or lands of the company until the character of such works or the specifications or plans thereof have been first submitted to and approved of by the Board. 63-64 V., c. 23, s. 2, Am.

Drainage  
proceedings  
under  
Provincial  
Acts.

Approval  
of Board.

**2.** The proportion of the cost of the drain or drainage works across or upon the railway to be borne by the company shall in all such cases be based upon the increase of cost of such work caused by the construction and operation of the railway.

Costs.

### *Farm Crossings.*

**198.** Every company shall make crossings for persons across whose lands the railway is carried, convenient and proper for the crossing of the railway for farm purposes. In crossing with live stock, the same shall be in charge of some competent person, who shall use all reasonable care and precaution to avoid accidents. 51 V., c. 29, s. 191, Am.

Farm  
crossings.

**2.** The Board may, upon the application of any landowner, order the company to provide and construct a suitable farm crossing across the railway, wherever in any case the Board

Necessary  
crossings may  
be ordered  
by Board.

deems it necessary for the proper enjoyment of his land, on either side of the railway, and safe in the public interest; and may order and direct how, when, where, by whom, and upon what terms and conditions, such farm crossing shall be constructed and maintained.

*Fences, Gates and Cattle-guards.*

**199.** The company shall erect and maintain upon the railway fences, gates and cattle-guards, as follows:—

**Fences.** (a.) Fences of a minimum height of four feet six inches on each side of the railway.

**Gates.** (b.) Swing gates in such fences, of the minimum height aforesaid, with proper hinges and fastenings, at farm crossings; provided that sliding or hurdle gates, already constructed, may be maintained.

**Cattle-guards.** (c.) Cattle-guards, on each side of the highway, at every highway crossing at rail-level by the railway. The railway fences at every such crossing shall be turned into the respective cattle-guards on each side of the highway.

**To be suitable.** 2. Such fences, gates and cattle-guards shall be suitable and sufficient to prevent cattle and other animals from getting on the railway.

**If lands are not settled and inclosed.** 3. Whenever the railway passes through any locality in which the lands on either side of the railway are not improved or settled, and inclosed, the Company shall not be required to erect and maintain such fences, gates and cattle-guards unless the Board otherwise orders or directs. 51 V., c. 29, s. 194, and 55-56 V., c. 27, s. 6, Am.

**Land owners must close gates at farm crossings.** **200.** The persons for whose use farm crossings are furnished shall keep the gates at each side of the railway closed when not in use; and no person, any of whose cattle are killed or injured by any train, owing to the non-observance of this section, shall have any right of action against any company in respect to the same being so killed or injured. 51 V., c. 29, s. 198.

**Leaving gates open.** **201.** Every person who wilfully leaves any such gate open without some person being at or near it to prevent animals from passing through it on to the railway, or who takes down any part of a railway fence, or turns any horse, cattle or other animal, upon or within the inclosure of such railway, except for the purpose of, and while, taking the same across the railway in the manner provided by section 198 of this Act, or who without the consent of the company, or except as authorized by this Act, rides, leads or drives any horse or other animal, or suffers any such horse or animal to enter, upon such railway and within the fences and guards, is liable, on summary conviction, to a penalty of twenty dollars for each offence, and is also liable to the railway company for any damage to the property

**Penalties for so doing.**

of the company or for which the company may be responsible by reason of such gate being so left open, or by reason of such fence being so taken down, or by the turning, riding, leading, driving or suffering to enter, upon or within the inclosure of such railway in violation of this section of any horse, cattle or other animal: and no person, any of whose cattle are killed or injured by any train owing to the non-observance of this section shall have any right of action against any company in respect to the same being so killed or injured. Every person violating the provisions of this section shall in addition to the penalty herein provided be liable to pay any person injured by reason of such violation all damages sustained thereby. 51 V., c. 29, ss. 199 and 272, Am.

No recourse  
against  
company.

Additional  
damages.

### *Bridges, Tunnels and other Structures.*

**202.** Every bridge, tunnel or other erection or structure, over, through or under which any railway, now or hereafter, passes, shall be so constructed, and, if need be, be re-constructed or altered within such time as the Board may order, and shall thereafter be so maintained, as to afford, at all times, an open and clear headway of at least seven feet between the top of the highest freight car used on the railway and the lowest beams, members or portions of that part of such bridge, tunnel, erection or structure, which is directly over the space liable to be traversed by such car in passing thereunder; but in no case shall the space between the rail-level and such beams, members or portions of any such structure, hereafter constructed, be less than twenty-two feet six inches, unless by leave of the Board;

Headway  
respecting  
bridges and  
tunnels.

2. If, in any case, it is necessary to raise, reconstruct or alter any bridge, tunnel, erection or structure not owned by the company, the Board, upon application of the company and upon notice to all parties interested, or without any application, may make such order, allowing or requiring such raising, reconstruction or alteration, upon such terms and conditions as to the Board shall appear just and proper and in the public interest.

Powers of  
Board  
where owners  
refuse to  
permit  
compliance.

3. The Board may exempt from the operation of this section any bridge, tunnel, erection or structure, over, through or under which no trains are run, except such as are equipped with air brakes.

Board may  
exempt  
certain  
bridges, etc.

4. Every company or owner shall incur a penalty not exceeding fifty dollars for each day of wilful neglect, omission or refusal to obey the provisions of this section. 51 V., c. 29, s. 192, Am.

Penalty.

**203.** With respect to all bridges, tunnels, viaducts, trestles, or other structures, through, over, or under which the company's trains are to pass, the span, or proposed span or spans, or length of which exceeds eighteen feet, the company shall not commence the construction, or reconstruction, of, or any material

Bridges, etc.,  
over 18 feet  
long.



material alteration in, any such bridge, tunnel, viaduct, trestle, or other structure, until leave therefor has been obtained from the Board, unless such construction, reconstruction, or alteration is made in accordance with standard specifications and plans approved of by the Board.

Proceedings  
before  
construction.

2. Upon any application to the Board for such leave, the company shall submit to the Board the detail plans, profiles, drawings and specifications of any such work proposed to be constructed, and such other plans, profiles, drawings and specifications as the Board may in any case, or by regulation, require, and the provisions of paragraphs 5, 6 and 7 of section one hundred and eighty-two, respecting the construction of works in navigable waters, and the powers of the Board relating thereto, shall apply to any and all works constructed or to be constructed under this section.

### *Stations.*

Stations to be  
suitable.

**204.** Every station of the company shall be erected, operated, and maintained with good and sufficient accommodation and facilities for traffic.

Location to be  
approved by  
Board.

2. Before the company proceeds to erect any station upon its railway, the location of such station shall be approved of by the Board.

Stations on  
railways sub-  
sidized by  
Parliament.

3. In the case of any railway, whether subject to the legislative authority of the Parliament of Canada or not, subsidized after the eighteenth day of July, in the year one thousand nine hundred, in money or in land, under the authority of an Act of the Parliament of Canada, the payment and acceptance of such subsidy shall be taken to be subject to the covenant or condition, (whether expressed or not in any agreement relating to such subsidy), that the company, for the time being owning or operating such railway, shall, when thereto directed by order of the Board, maintain and operate a station, with such accommodation or facilities in connection therewith, as are defined by the Board, at such point or points on the railway as are designated in such order. 63-64 V., c. 23, ss. 10 and 11, Am.

### *Wages of Labourers.*

Rate of wages  
of labourers on  
construction  
of lines  
subsidized by  
Parliament.

**205.** In every case in which the Parliament or Canada votes financial aid by way of subsidy or guarantee towards the cost of railway construction, all mechanics, labourers or other persons who perform labour in such construction shall be paid such wages as are generally accepted as current for competent workmen in the district in which the work is being performed; and if there is no current rate in such district, then a fair and reasonable rate; and in the event of a dispute arising as to what is the current or a fair and reasonable rate, it shall be determined by the Minister, whose decision shall be final.



## VIII.—INSPECTION OF RAILWAY.

*Inspecting Engineers.*

**206.** Inspecting engineers may be appointed by the Minister, or the Board, subject to the approval of the Governor in Council. Appointment of inspecting engineers.

2. It shall be the duty of every such inspecting engineer, Duties. upon being directed by the Minister or the Board, as the case may be, to inspect any railway, or any branch line, siding, or portion thereof, whether constructed, or in the course of construction, to examine the stations, rolling stock, rails, road bed, right of way, tracks, bridges, tunnels, trestles, viaducts, drainage, culverts, railway crossings and junctions, highway and farm crossings, fences, gates and cattle-guards, telegraph, telephone, or other lines of electricity, and all other buildings, works, structures, equipment, apparatus, and appliances thereon, or to be constructed or used thereon, or such part thereof as the Minister, or the Board, as the case may be, may direct, and forthwith to report fully thereon in writing to the Minister, or the Board, as the case may be.

3. Every such inspecting engineer shall be vested with all the powers in regard to any such inspection as are provided in section forty-nine. Powers of inspection.

4. Every company, and the officers and directors thereof, shall afford to any inspecting engineer such information as is within their knowledge and power, in all matters inquired into by him, and shall submit to such inspecting engineer all plans, specifications, drawings and documents relating to the construction, repair, or state of repair, of the railway, or any portion thereof. 51 V., c. 29, s. 26. Duties of company respecting inspecting engineers.

5. Every such inspecting engineer shall have the right, while engaged in the business of such inspection, to travel without charge on any of the ordinary passenger trains running on the railway, and to use without charge the telegraph wires and machinery in the offices of, or under the control of, any such company. 51 V., c. 29, s. 27, Am. Inspecting Engineers may travel free. Use telegraph wires, etc.

6. The operators, or officers, employed in the telegraph offices of, or under the control of, the company, shall, without unnecessary delay, obey all orders of any such inspecting engineer for transmitting messages; and every such operator or officer, who neglects or refuses so to do, shall, for every such offence, be liable, on summary conviction, to a penalty of forty dollars. 51 V., c. 29, s. 28. Transmission of telegrams. Penalty upon failure.

7. The production of his appointment in writing, signed by the Chief Commissioner of the Board, or the Secretary, or by the Minister, shall be sufficient evidence of the authority of such inspecting engineer. 51 V., c. 29, s. 29, Am. Proof of engineer's authority.

8. Every person who wilfully obstructs any inspecting engineer in the execution of his duty, is liable, on summary conviction, to a penalty not exceeding forty dollars; and in default of payment thereof forthwith, or within such time as

the convicting justice or justices of the peace appoint, to imprisonment with or without hard labour for any term not exceeding three months. 51 V., c. 29, s. 30.

### *Inspection of Railway.*

Leave of  
Board before  
opening.

**207.** No railway, or any portion thereof, shall be opened for the carriage of traffic, other than for the purposes of the construction of the railway by the company, until leave therefor has been obtained from the Board, as hereinafter provided.

Proceedings.

2. When the company is desirous of so opening its railway, or any portion thereof, it shall make an application to the Board, supported by affidavit of its president, secretary, engineer or one of its directors, to the satisfaction of the Board, alleging that the railway, or portion thereof, desired to be so opened is in his opinion sufficiently completed for the safe carriage of traffic, and ready for inspection, and request the Board to authorize the same to be opened for such purpose.

Affidavit.

Inspection

3. Before granting such application the Board shall direct an inspecting engineer to examine the railway, or portion thereof, proposed to be opened, and if the inspecting engineer reports to the Board, after making such examination, that in his opinion the opening of the same for the carriage of traffic will be reasonably free from danger to the public using the same, the Board may make an order granting such application, in whole or in part, and may name the time therein for the opening thereof, and thereupon the railway, or such portion thereof as is authorized by the Board, may be opened for traffic in accordance with such order.

When opening  
reported to  
be safe.

Order of  
Board.

When opening  
reported  
dangerous.

4. But if such inspecting engineer, after the inspection of the railway, or the portion thereof, shall report to the Board that in his opinion the opening of the same would be attended with danger to the public using the same, by reason of the incompleteness of the works or permanent way, or the insufficiency of the construction or equipment of such railway, or portion thereof, he shall state in his report the grounds for such opinion, and the company shall be entitled to notice thereof, and shall be served with a copy of such report and grounds, and the Board may refuse such application, in whole or in part, or may direct a further or other inspection and report to be made.

Notice to be  
served on  
company.

Provision for  
further  
inspection.

Order for  
opening.

Leave to carry  
freight traffic.

5. If thereafter upon such further or other inspection or upon a new application under this section, the inspecting engineer reports that such railway, or portion thereof, may be opened without danger to the public, the Board may make the like order as provided in subsection 3 of this section and thereupon the railway, or such portion thereof, as is authorized by the Board, may be opened for traffic in accordance therewith.

6. The Board, upon being satisfied that public convenience will be served thereby, may, after obtaining a report of an inspecting engineer, allow the company to carry freight traffic over any portion of the railway not opened for the carriage of

traffic in accordance with the preceding provisions of this section.

7. If any railway, or portion thereof, is opened contrary to the provisions of this section, the company, or person to whom such railway belongs, shall forfeit to His Majesty the sum of two hundred dollars for each day on which the same is, or continues, open until such order is obtained. 51 V., c. 29, ss. 200 to 203, Am.

Opening  
without leave  
of Board.

Penalty.

208. Whenever any complaint is made to the Board, or the Board receives information, that any railway, or any portion thereof, is dangerous to the public using the same, from want of renewal or repair, or insufficient or erroneous construction, or from any other cause, or whenever circumstances arise which, in its opinion, render it expedient, the Board may direct an inspecting engineer to examine the railway, or any portion thereof; and upon the report of the inspecting engineer may order any repairs, renewal, reconstruction, alteration or new work, materials or equipment to be made, done, or furnished by the company upon, in addition to, or substitution for, any portion of the railway, which may, from such report, appear to the Board necessary or proper, and may order that until such repairs, renewals, reconstruction, alteration, and work, materials or equipment are made, done and furnished to its satisfaction, no such portion of the railway in respect of which such order is made, shall be used, or used otherwise than subject to such restrictions, conditions and terms as the Board may in such order impose. And the Board may by such order, condemn, and thereby forbid further use of, any rolling stock which, from such report, it may consider unfit to repair or use further.

Where  
railway out  
of repair.

Inspection.

Board  
may order  
repairs, etc.

May enjoin  
use of portions  
of railways  
pending  
repairs.

Or of  
equipment.

2. If, after notice of any such order made by the Board, the company shall use any rolling stock, after the same has been so condemned by the Board, or shall disobey or fail to comply with any order of the Board made under this section, the company shall, for each act of disobedience, forfeit to His Majesty the sum of two thousand dollars; and any person wilfully and knowingly aiding or abetting any such violation, shall be guilty of an offence, and on conviction thereof shall be liable to a penalty of not less than twenty, nor more than two hundred dollars. 51 V., c. 29, s. 205, Am.

Penalty  
for non-  
compliance.

Aiding and  
abetting.

209. If in the opinion of any inspecting engineer, it is dangerous for trains to pass over any railway, or any portion thereof, until alterations, substitutions or repairs are made thereon, or that any of the rolling stock should be run or used, the said engineer may, by notice, forthwith, either forbid the running of any train over such railway or portion of railway, or require that the same be run only at such times, under such conditions, and with such precautions, as he, by notice specifies, and he may forbid the running or using of any such rolling stock by serving upon the company owning,

Inspecting  
engineer may  
in case of  
danger issue  
prohibitions.

Procedure.



Reasons and defects must be stated.

Penalty.

Report of inspecting engineer.

Action thereon.

Notice.

Prosecution for penalties must be authorized.

running or using such railway, or any officer having the management or control of the running of trains on such railway, a notice in writing to that effect, with his reasons therefor, in which he shall distinctly point out the defects or the nature of the danger to be apprehended; and for every act of non-compliance therewith such Company shall forfeit to His Majesty the sum of two thousand dollars. 51 V., c. 29, s. 210, Am.

2. The inspecting engineer shall forthwith report the same to the Board which may either confirm, modify or disallow the act or order of such engineer; and notice of such confirmation, modification or disallowance, shall be duly given to the company. 51 V., c. 29, s. 211, Am.

**210.** No prosecution for any penalty under the last two preceding sections shall be instituted without the authority of the Board first had and obtained.

## IX.—OPERATION OF RAILWAY.

### *Trains.*

Train equipment to be provided.

Communication with engine driver.

Brakes.

On trains carrying passengers the brakes must—

Be continuous and instantaneous.

Be self-applying in case of accident.

Couplers.

Delay allowed as to brakes and couplers.

**211.** Every company shall provide and cause to be used on all trains modern and efficient apparatus, appliances and means—

(a.) to provide immediate communication between the conductor while in any car of any passenger train, and the engine driver;

(b.) to check at will the speed of the train, and bring the same safely to a standstill, as expeditiously as possible, and except under circumstances of sudden danger or emergency, without causing undue discomfort to passengers, if any, on the train, including a power drive wheel brake and appliances for operating the train brake system upon the locomotive, and having a sufficient number of cars in every train so equipped with power or train brakes so that the engineer on the locomotive drawing such train can control its speed, or bring it to a stop in the quickest and best manner possible without requiring brakemen to use the common hand-brake for that purpose; and on all trains carrying passengers such system of brakes shall comply with the following requirements:—

(i.) The brakes shall be continuous and must be instantaneous in action, and capable of being applied at will by the engine driver or any brakeman;

(ii.) The brake must be self-applying in the event of any failure in the continuity of its action;

(c.) to securely couple and connect the cars composing the train, and to attach the engine to such train, with couplers which couple automatically by impact, and which can be uncoupled without the necessity of men going in between the ends of the cars;

Provided that the company shall not be obliged to equip all trains with a power drive wheel brake or air brakes as provided,



vided in paragraph (b) of this subsection, nor to equip its cars with automatic couplers as provided in paragraph (c) of this subsection, before the first day of January, 1906.

2. All box freight cars of the company built after the passing of this Act, shall be equipped with the following attachments for the security of railway employees:—

Box freight cars to be provided with ladders, etc.

(a.) Outside ladders, on two of the diagonally opposite ends and sides of each car, projecting below the frame of the car, with one step or rung of the ladder below the frame, the ladders being placed close to the ends and sides to which they are attached;

(b.) Hand grips placed anglewise over the ladders of each box car and so arranged as to assist persons in climbing on the roof by means of the ladder.

All cars built prior to the passing of this Act shall be fitted with such attachments before the first day of January, 1906; provided that, if there is at any time any other improved side attachment which, in the opinion of the Board, is better calculated to promote the safety of the train hands, then the Board may require any of such cars not already fitted with the side attachments first mentioned, to be fitted with the said improved attachment.

3. Every company shall adopt and use upon all its rolling stock such height of draw-bars as the Board determines in accordance with any standard from time to time adopted by competent railway authorities.

Height of draw-bars.

4. Every company which fails to comply with any of the provisions of this section, shall forfeit to His Majesty, a sum not exceeding two hundred dollars, for every day during which such default continues, and shall, as well, be liable to pay to all such persons as are injured by reason of the non-compliance with these provisions, or to their representatives, such damages as they are legally entitled to, notwithstanding any agreement to the contrary with regard to any such person, unless such agreement is conformable to the law of the province in which it is made and is authorized by regulation of the Board: Provided however that no proceedings shall be instituted to enforce or recover any forfeiture to His Majesty hereunder without the consent of the Board first obtained.

Penalty for non-compliance.

Damages.

Agreements to contrary invalid.

Consent to prosecution.

**212.** The Board may, upon application, order that any apparatus or appliance specified in such order shall, when used upon the train in the manner and under circumstances in such order specified, be deemed sufficient compliance with the provisions of the last preceding section, but the Board shall not, by such order, allow any exception to, or modification of, the requirements of such section; but the Board may, by general regulation, or in any particular case, on good cause shown, from time to time extend the period within which such appliances shall be used.

Power of Board respecting train equipment.

Limitation upon power.

Discretion as to enforcing use of brakes, couplers, etc.

Power to regulate running and operation of trains.

2. The Board shall endeavour to provide for uniformity in the construction of rolling stock to be used upon the railway and for a uniformity of rules for the operation and running of trains; and may make regulations designating the number of men to be employed upon trains, or providing that coal shall be used on all locomotives instead of wood in any district, and generally providing for the protection and safety of the public, of property, and of the employees of the company with respect to the running and operation of trains by the company.

Bell and whistle on locomotive.

**213.** Every locomotive engine shall be equipped and maintained with a bell of at least thirty pounds weight and with a steam whistle. 51 V., c. 29, s. 244.

Accommodation for passengers and freight at stations.

Train accommodation.

Duties respecting transportation.

Payment of tolls.

Right of action on default.

Condition against negligence invalid.

Accommodation may be ordered by Board.

Regularity in train time.

Passenger stations and train employees to wear badges.

**214.** The company shall, according to its powers, furnish, at the place of starting, and at the junction of the railway with other railways, and at all stopping places established for such purpose, adequate and suitable accommodation for the receiving and loading of all traffic offered for carriage upon the railway,—and shall furnish adequate and suitable accommodation for the carrying, unloading and delivering of all such traffic.—and shall, without delay, and with due care and diligence, receive, carry and deliver all such traffic, and shall furnish and use all proper appliances, accommodation and means necessary therefor.

2. Such traffic shall be taken, carried to and from, and delivered at such places, on the due payment of the toll lawfully payable therefor.

3. Every person aggrieved by any neglect or refusal in the premises shall, subject to this Act, have an action therefor against the Company, from which action the company shall not be relieved by any notice, condition or declaration, if the damage arises from any negligence or omission of the company or of its servant.

4. If in any case such accommodation is not, in the opinion of the Board, furnished by the company, the Board may order the company to furnish the same within such time or during such period as the Board deems expedient, having regard to all proper interests. 51 V., c. 29, s. 246 part, Am.

**215.** All regular trains shall be started and run, as near as practicable, at regular hours, fixed by public notice. 51 V., c. 29, s. 246 part.

**216.** Every employee of the company employed in a passenger train or at a passenger station, shall wear upon his hat or cap a badge, which shall indicate his office, and he shall not, without such badge, be entitled to demand or receive from any passenger any fare or ticket, or to exercise any of the powers of his office, or to interfere with any passenger or his baggage or property. 51 V., c. 29, s. 247.

**217.** Every passenger who refuses to pay his fare may, by the conductor of the train and the train servants of the company, be expelled from and put out of the train, with his baggage, at any usual stopping place, or near any dwelling house, as the conductor elects, the conductor first stopping the train and using no unnecessary force. 51 V., c. 29, s. 248.

Expulsion on refusal to pay fare

**218.** No person injured while on the platform of a car, or on any baggage, or freight car, in violation of the printed regulations posted up at the time, shall have any claim in respect of the injury, if room inside of the passenger cars, sufficient for the proper accommodation of the passengers, was furnished at the time. 51 V., c. 29, s. 249.

No claim for injuries in certain cases.

**219.** No passenger train shall have any freight, merchandise or lumber car in the rear of any passenger car in which any passenger is carried. 51 V., c. 29, s. 245, Am.

Position of passenger cars.

2. Every officer or employee of any company, who directs, or knowingly permits, any freight, merchandise or lumber car, to be so placed, is guilty of an indictable offence. 51 V., c. 29, s. 291, Am.

Penalty for violation.

**220.** A check shall be affixed by the company to every parcel of baggage, having a handle, loop or suitable means for attaching a check thereupon, delivered by a passenger to the company for transport, and a duplicate of such check shall be given to the passenger delivering the same. 51 V., c. 29, s. 250, Am.

Baggage checks.

2. In the case of excess baggage the company shall be entitled to collect from the passenger, before affixing any such check, the toll authorized under this Act.

Excess baggage.

3. If such check is improperly refused on demand, the company shall be liable to such passenger for the sum of eight dollars, which shall be recoverable in a civil action. 51 V., c. 29, s. 251, Am.

Liability for refusing to check baggage.

**221.** No passenger shall carry, nor shall the company be required to carry upon its railway, gunpowder, dynamite, nitro-glycerine, or any other goods which are of a dangerous or explosive nature; and every person who sends by the railway any such goods without distinctly marking their nature on the outside of the package containing the same, and otherwise giving notice in writing to the station agent or employee of the company whose duty it is to receive such goods and to whom the same are delivered, or who carries or takes upon any train any such goods, for the purpose of carriage shall forfeit to the company the sum of five hundred dollars for every such offence. 51 V., c. 29, s. 253, Am.

Transportation of dangerous goods.

Nature must be marked on outside.

Notice.

Penalty.

**222.** The company may refuse to take any package or parcel which it suspects to contain goods of a dangerous nature, or may require the same to be opened to ascertain the fact;

Company may refuse to carry.



Carriage of  
such goods.

Penalty.

Trains to stop  
at swing  
bridges.

Where safety  
devices  
installed  
Board may  
otherwise  
order.

Use of bell  
and whistle.

Penalty for  
non-compli-  
ance.

Damages.

Penalty on  
employee.

Signal  
at rail-level  
crossings.

Electric street  
railway  
crossings.

Application of  
section.

and the company shall not carry any such goods of a dangerous nature, except in cars specially designated for that purpose, on each side of each of which shall plainly appear in large letters the words "dangerous explosives"; and for each neglect to comply with the provisions of this section, the company shall incur a penalty of five hundred dollars. 51 V., c. 29, s. 254.

**223.** When any railway passes over any navigable water, or canal, by means of a draw or swing bridge which is subject to be opened for navigation, every train shall, before coming on or crossing over such bridge, be brought to a full stop and shall not proceed until a proper signal has been given for that purpose, and in default the company shall be liable to a penalty not exceeding four hundred dollars. Any employee failing to comply with the rules of the company as to compliance with the provisions of this subsection shall be liable to the like penalty, or to six months' imprisonment, or to both. 51 V., c. 29, s. 255, Am.

2. Wherever there is adopted or in use on any railway at any such bridge, an interlocking switch and signal system, or other device which, in the opinion of the Board, renders it safe to permit engines and trains to pass over such bridge without being brought to a stop, the Board may, by order, permit engines and trains to pass over such bridge without stopping, under such regulations, as to speed and other matters, as the Board deems proper. 55-56 V., c. 27, s. 7, Am.

**224.** When any train is approaching a highway crossing at rail-level (except within the limits of cities or towns where the municipal authority may pass by-laws prohibiting the same), the engine whistle shall be sounded at least eighty rods before reaching such crossing, and then the bell shall be rung continuously until the engine has crossed such highway; and the company shall, for each neglect to comply with the provisions of this section, incur a penalty of eight dollars, and shall also be liable for all damage sustained by any person by reason of such neglect; and every employee of the company who neglects to comply with this section shall for each offence be subject to a like penalty. 51 V., c. 29, s. 256, Am.

**225.** No train or engine shall pass over any crossing where two main lines of railway cross each other at rail-level, until a proper signal has been received by the conductor or engineer in charge of such train or engine from a competent person or watchman in charge of such crossing that the way is clear; provided always, that in the case of an electric street railway car crossing any railway track not properly protected, it shall be the duty of the conductor, before crossing, to go forward and see that the track to be crossed is clear, before giving the signal to the motorman, that the way is clear and to proceed.

2. Every main track of a branch line is a main line within the meaning of this section, which shall apply, whether the



said lines be owned by different companies or by the same company. 56 V., c. 27, s. 2, part, Am.

**226.** Every train shall, before it passes over any such crossing as in the next preceding section mentioned, be brought to a full stop; but whenever there is in use, at any such crossing, an interlocking switch and signal system, or other device which, in the opinion of the Board, renders it safe to permit engines and trains or electric cars to pass over such crossing without being brought to a stop, the Board may, by order, permit such engines and trains and cars to pass over such crossing without stopping, under such regulations as to speed and other matters as the Board deems proper. 56 V., c. 27, s. 2, part, Am.

Stoppage of trains at rail-level crossings.

Where safety devices are installed Board may otherwise order.

**227.** No train shall pass in or through any thickly peopled portion of any city, town or village, at a speed greater than ten miles an hour, unless the track is fenced or properly protected in the manner prescribed by this Act, or unless permission is given by some regulation or order of the Board. The Board may limit such speed in any case to any rate which it deems expedient. 55-56 V., c. 27, s. 8, Am.

Rate of speed in unfenced portions of cities, etc.

**228.** Whenever in any city, town or village, any train is passing over or along a highway at rail-level, and is not headed by an engine moving forward in the ordinary manner, the company shall station on the then foremost part of the train, or of the tender, if that is in front, a person who shall warn persons standing on, or crossing, or about to cross, the track of such railway; and for every violation of any of the provisions of this section, or of any of the three sections next preceding, the company shall incur a penalty of one hundred dollars. 55-56 V., c. 27, s. 9.

Trains, or cars moving reversely in cities, etc.

**229.** Whenever any railway crosses any highway at rail-level, the company shall not, nor shall its officers, agents or employees, wilfully permit any engine, tender or car, or any portion thereof, to stand on any part of such highway, for a longer period than five minutes at one time, or in shunting to obstruct public traffic for a longer period than five minutes at any one time.

Train must not stand on rail-level crossings more than five minutes.

2. In every case of a violation of this section, every such officer, agent, or employee who has directly under or subject to his control, management or direction, any engine, tender or car which, or any portion of which, is allowed to stand on such highway, longer than the time specified in this section, is liable on summary conviction to a penalty not exceeding fifty dollars, and the company is also liable for each such violation, to a like penalty: provided always that if such alleged violation is in the opinion of the court excusable, the action for the penalty may be dismissed; and costs shall be in the discretion of the court. 51 V., c. 29, s. 261, Am.

Penalty.

Where violation excusable.

Interpreta-  
tion.

"Packing."

Packing of  
frogs, etc.

Packing of  
wing-rails, etc.

Exception in  
latter cases.

Oil cups.

Overdue  
trains.

Notice at  
stations.

Time when  
expected to be  
stated.

Penalty for  
omission.

**230.** In this section the expression "packing" means a packing of wood or metal, or some equally substantial and solid material, of not less than two inches in thickness, and which, where by this section any space is required to be filled in, shall extend to within one and a half inches of the crown of the rails in use on any such railway, shall be neatly fitted so as to come against the web of such rails, and shall be well and solidly fastened to the ties on which such rails are laid.

2. The spaces behind and in front of every railway frog or crossing, and between the fixed rails of every switch where such spaces are less than four inches in width, shall be filled with packing up to the under side of the head of the rail.

3. The spaces between any wing rail and any railway frog, and between any guard rail and the track rail alongside of it, shall be filled with packing at their splayed ends, so that the whole splay shall be so filled where the width of the space between the rails is less than four inches; such packing not to reach higher than to the underside of the head of the rail: provided however, that the Board may allow the filling and packing mentioned in this section to be left out, from the month of December to the month of April in each year, both months included, or between any such dates as the Board by regulation, or in any particular case, determines.

4. The oil cups or other appliances, used for oiling the valves of every locomotive in use upon any railway shall be such that no employee shall be required to go outside the cab of the locomotive, while the same is in motion for the purpose of oiling such valves. 51 V., c. 29, s. 262, Am.

**231.** Every company, upon whose railway there is a telegraph line in operation, shall have a blackboard put upon the outside of the station house, over the platform of the station, in some conspicuous place at each station of such company at which there is a telegraph office; and when any passenger train is overdue at any such station, according to the time table of such company, the station agent or person in charge at such station, shall write, or cause to be written, with white chalk on such blackboard, a notice in English and French in the province of Quebec, and in English in the other provinces, stating, to the best of his knowledge and belief, the time when such overdue train may be expected to reach such station; and if there is any further change in the expected time of arrival the station agent or person in charge of the station shall write, or cause to be written on the blackboard in like manner, a fresh notice stating, to the best of his knowledge and belief, the time when such overdue train may then be expected to reach such station.

2. Every such company, station agent or person in charge at any such station, is, on summary conviction, liable to a penalty not exceeding five dollars for every wilful neglect, omission or refusal to obey the provisions of this section. 51 V., c. 29, s. 263, Am.

**232.** His Majesty's mail, His Majesty's naval or military forces or militia, and all artillery, ammunition, provisions or other stores for their use, and all policemen, constables or others travelling on His Majesty's service, shall at all times, when required by the Postmaster General of Canada, the Commander of the Forces, or any person having the superintendence and command of any police force respectively, and with the whole resources of the company if required, be carried on the railway, on such terms and conditions and under such regulations as the Governor in Council makes. 51 V., c. 29, s. 264.

Carriage of mails, troops with equipment, etc.

### *Telegraphs and Telephones.*

**233.** The company shall, when required so to do by the Governor in Council, or any person authorized by him, place any electric telegraph and telephone lines, and the apparatus and operators it has, at the exclusive use of the Government of Canada, receiving thereafter reasonable compensation for such service. 51 V., c. 29, s. 265.

Government may have exclusive use of telegraph wires, etc.

Compensation

**234.** The Governor in Council may, at any time, cause a line or lines of electric telegraph or telephone to be constructed along the line of the railway, for the use of the Government of Canada, and for that purpose may enter upon and occupy so much of the lands of the company as is necessary for the purpose. 51 V., c. 29, s. 266.

Government may erect wires on right of way.

### *Accidents.*

**235.** Every company shall, as soon as possible, and immediately after the head officers of the company have received information of the occurrence upon the railway belonging to such company, of any accident attended with serious personal injury to any person using the railway, or whereby any bridge, culvert, viaduct, or tunnel on or of the railway has been broken or so damaged as to be impassable or unfit for immediate use, give notice thereof, with full particulars, to the Board; and every company which wilfully and negligently omits to give such notice shall forfeit to His Majesty the sum of two hundred dollars for every day during which the omission to give the same continues. 51 V., c. 29, s. 267, Am.

Notice of accident.

Penalty for omission.

**236.** The Board may by regulation declare the manner and form in which such information and notice shall be given and the class of accidents to which the next preceding section shall apply, and may declare any such information so given to be privileged, and the Board may appoint such person or persons as it thinks fit to inquire into all matters and things which it deems likely to cause or prevent accidents, and the causes of, and the circumstances connected with, any accident or casualty to life or property occurring on any railway, and into all particulars relating thereto. 51 V., c. 29, s. 268, Am.

Form of notice and investigation into accidents.



Report.

2. The person or persons so appointed shall report fully, in writing, to the Board, his or their doings and opinions on the matters respecting which he or they are appointed to inquire, and the Board may act upon such report and may order the company to suspend or dismiss any employee of the company whom it may deem to have been negligent or wilful in respect of any such accident. 51 V., c. 29, s. 269, Am.

*Animals at large.*

Cattle not allowed at large near railway.

**237.** No horses, sheep, swine or other cattle shall be permitted to be at large upon any highway, within half a mile of the intersection of such highway with any railway at rail-level, unless such cattle are in charge of some competent person or persons, to prevent their loitering or stopping on such highway at such intersection, or straying upon the railway.

May be impounded.

2. All cattle found at large contrary to the provisions of this section may, by any person who finds the same at large, be impounded in the pound nearest to the place where the same are so found, and the pound-keeper with whom the same are impounded shall detain the same in the like manner, and subject to like regulations as to the care and disposal thereof, as in the case of cattle impounded for trespass on private property.

Right of action negatived.

3. If the cattle of any person, which are at large contrary to the provisions of this section, are killed or injured by any train, at such point of intersection, he shall not have any right of action against any company in respect of the same being so killed or injured. 51 V., c. 29, s. 271 Am.

Negligence of owner not presumed.

4. When any cattle or other animals at large upon the highway or otherwise, get upon the property of the company and are killed or injured by a train, the owner of any such animal so killed or injured shall be entitled to recover the amount of such loss or injury against the company in any action in any court of competent jurisdiction, unless the company, in the opinion of the court or jury trying the case, establishes that such animal got at large through the negligence or wilful act or omission of the owner or his agent, or of the custodian of such animal or his agent; but the fact that such animal was not in charge of some competent person or persons shall not for the purposes of this subsection, deprive the owner of his right to recover. Sub. for 53 V., c. 28, s. 2.

*Weeds on Company's Land.*

Company to remove weeds.

**238.** Every company shall cause thistles and all noxious weeds growing on the right of way and over land of the Company adjoining the railway to be cut down or to be rooted out and destroyed each year before the plants have sufficiently matured to seed.

Penalty.

2. Every company which fails to comply with this section shall incur a penalty of two dollars for every day during which such company neglects to do anything which it is so

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required



required to do; and the mayor, reeve or chief officer of the municipality of the township, county or district in which the land or ground lies, or any justice of the peace therein, may cause all things to be done which the said company is so required to do, and for that purpose may enter, by himself and his assistants or workmen, upon such lands, and may recover the expenses and charges incurred in so doing, and the said penalty, with costs, in any court of competent jurisdiction, and such penalty shall be paid to the proper officer of the municipality. 51 V., c. 29, s. 275 Am.

On default  
municipal  
officers may  
perform.

Costs.

*Prevention of, and liability for, Fires.*

**239.** The company shall at all times maintain and keep its right of way free from dead or dry grass, weeds and other unnecessary combustible matter.

Prevention.

2. Whenever damage is caused to crops, lands, fences, plantations, or buildings and their contents, by a fire, started by a railway locomotive, the company making use of such locomotive, whether guilty of negligence or not, shall be liable for such damage and may be sued for the recovery of the amount of such damage in any court of competent jurisdiction;

Liability for  
fire caused by  
locomotive.

Provided that if it be shown that the company has used modern and efficient appliances and has not otherwise been guilty of any negligence, the total amount of compensation recoverable under subsection two of this section, in respect of any one or more claims for damage from a fire or fires started by the same locomotive and upon the same occasion, shall not exceed five thousand dollars, and it shall be apportioned amongst the parties who suffered the loss as the court or judge may determine.

Proviso.

3. The company shall have an insurable interest in all such property upon or along its route, for which it may be so held liable, and may procure insurances thereon in its own behalf.

Company has  
insurable  
interest.

*Purchase of Railway by Person without Corporate Power to operate.*

**240.** If any railway, or any section of any railway, is sold under the provisions of any deed or mortgage, or at the instance of the holders of any mortgage, bonds, or debentures, for the payment of which any charge has been created thereon, or under any other lawful proceeding, and is purchased by any person not having corporate power to hold and operate the same, the purchaser shall not run or operate such railway until authority therefor has been obtained under the following provisions:—

Non-corporate  
purchaser to  
obtain author-  
ity to operate.

2. The purchaser shall transmit to the Minister, an application in writing stating the fact of such purchase, describing the termini and lines of route of the railway purchased, specifying the Special Act under which the same was constructed and operated, and requesting authority from the Minister to

Proceedings.

run and operate the railway, and with such application shall transmit a copy of any writing preliminary to the conveyance of such railway, made as evidence of such sale, and also a duplicate or authenticated copy of the deed of conveyance of such railway, and such further details and information as the Minister may require.

Order  
authorizing  
operation for  
certain period.

3. Upon any such application, the Minister may, if he is satisfied therewith, grant an order authorizing the purchaser to run and operate the railway purchased until the end of the then next session of the Parliament of Canada, subject to such terms and conditions as the Minister may deem expedient, and thereupon the purchaser shall be authorized, for such period only and subject to such order of the Minister, to operate and run such railway, and take and receive such tolls in respect of traffic carried thereon, as the company previously owning and operating the same was authorized to take, and shall be subject, in so far as the same can be made applicable, to the terms and conditions of the Special Act of the said company.

Terms and  
conditions.

Application  
for corporate  
powers.

One extension  
allowed.

4. Such purchaser shall apply to the Parliament of Canada at the next following session thereof after the purchase of such railway, for an Act of incorporation or other legislative authority, to hold, operate and run such railway; and if such application is made to Parliament and is unsuccessful, the Minister may extend the order to run and operate such railway until the end of the then next following session of Parliament, and no longer; and if during such extended period the purchaser does not obtain such Act of incorporation or other legislative authority, such railway shall be closed or otherwise dealt with by the Minister, as may be determined by the Governor in Council. 51 V., c. 29, s. 280, Am.

Closing of  
road.

### *Railway Constables.*

Appointment  
of railway  
constables.

**241.** Any two justices of the peace, or a stipendiary or police magistrate, in the provinces of Ontario, Nova Scotia, New Brunswick, British Columbia, Prince Edward Island, or Manitoba or the district of Keewatin, and any judge of the Court of King's Bench or Superior Court, or clerk of the Peace, or clerk of the Crown, or judge of the Sessions of the Peace, in the province of Quebec, and any judge of the Supreme Court, or two justices of the peace, in the North-west Territories, and any commissioner of a Parish Court in the province of New Brunswick, within whose several jurisdictions the railway runs, may, on the application of the company or any clerk or agent of the company, appoint any persons recommended for that purpose by such company, clerk or agent, to act as constables on and along such railway; and every person so appointed shall take an oath or make a solemn declaration, which may be administered by any judge or other official authorized to make the appointment or to administer oaths, in the form or to the effect following, that is to say:—

Oath to be  
taken.

"I, A.B., having been appointed a constable to act upon and along (here name the railway), under the provisions of *The Railway Act, 1903*, do swear that I will well and truly serve our Sovereign Lord the King in the said office of constable, without favour or affection, malice or ill-will, and that I will, to the best of my power, cause the peace to be kept, and prevent all offences against the peace; and that, while I continue to hold the said office, I will, to the best of my skill and knowledge, discharge the duties thereof faithfully, according to law. So help me God." 51 V., c. 29, s. 281, Am. Form of oath.

Such appointment shall be made in writing signed by the official making the appointment, and the fact that the person appointed thereby has taken such oath or declaration shall be endorsed thereon by the person administering such oath or declaration.

2. Every constable so appointed, who has taken such oath or made such declaration, may act as a constable for the preservation of the peace, and for the security of persons and property against unlawful acts on such railway, and on any of the works belonging thereto, and on and about any trains, roads, wharfs, quays, landing places, warehouses, lands and premises belonging to such company, whether the same are in the county, city, town, parish, district or other local jurisdiction within which he was appointed, or in any other place through which such railway passes or in which the same terminates, or through or to which any railway passes which is worked or leased by such company, and in all places not more than a quarter of a mile distant from such railway, and shall have all such powers, protections and privileges for the apprehending of offenders, as well by night as by day, and for doing all things for the prevention, discovery and prosecution of offences, and for keeping the peace, which any constable duly appointed has within his constablewick. 51 V., c. 29, s. 282, Am. Powers of constable.  
Protection.

3. Any such constable may take such persons as are punishable by summary conviction for any offence against the provisions of this Act, or of any of the Acts or by-laws affecting the railway, before any justice or justices appointed for any county, city, town, parish, district or other local jurisdiction within which such railway passes; and every such justice may deal with all such cases, as though the offence had been committed and the persons taken within the limits of his jurisdiction. 51 V., c. 29, s. 283, Am. Arrest of offenders.

4. Any county court judge, or stipendiary police magistrate, in either of the provinces of Ontario, Nova Scotia, New Brunswick, British Columbia, Prince Edward Island, or Manitoba, or in the district of Keewatin, and any judge of the Court of King's Bench or Superior Court, or judge of the Sessions of the Peace, in the province of Quebec, and any judge of the Supreme Court in the North-west Territories, may dismiss any such constable who is acting within their several jurisdictions; and the company, or any clerk or agent Dismissal of constables.  
By courts.



By authorized  
officers of  
company.

May not be  
reappointed  
without  
consent.

Record of  
appointment  
of constables.

And of  
dismissals.

Neglect of  
duty by  
constable.

Penalty.

of such company, may dismiss any such constable who is acting on such railway; and upon every such dismissal, all powers, protections and privileges which belonged to any such person by reason of such appointment, shall wholly cease; and no person so dismissed shall be again appointed or act as constable for such railway, without the consent of the authority by whom he was dismissed. 51 V., c. 29, s. 284, Am.

5. The company shall cause to be recorded in the office of the clerk of the peace, for every county, parish, district or other local jurisdiction in which such constable is appointed the name and designation of every constable so appointed at its instance, the date of his appointment, and the authority making it, with such appointment or a certified copy thereof, and also the fact of every dismissal of any such constable, the date thereof, and the authority making the same, within one week after the date of such appointment or dismissal, as the case may be; and such clerk of the peace shall keep a record of all such facts in a book which shall be open to public inspection, and shall be entitled to a fee of fifty cents for each entry of appointment or dismissal, and twenty-five cents for each search or inspection, including the taking of extracts. Such record shall, in all courts, be *prima facie* evidence of the due appointment of such constable and of his jurisdiction to act as such, without further proof than the mere production of such record. 51 V., c. 29, s. 285, Am.

6. Every such constable who is guilty of any neglect or breach of duty in his office of constable, shall be liable, on summary conviction thereof, within any county, city, district or other local jurisdiction wherein such railway passes, to a penalty not exceeding eighty dollars, or to imprisonment, with or without hard labour, for a term not exceeding two months. Such penalty may be deducted from any salary due to such offender, if such constable is in receipt of a salary from the company. 51 V., c. 29, s. 286.

### *Actions for Damages.*

Limitation of  
action for  
damages.

Pleadings.

Proof.

Certain  
actions  
excepted.

**242.** All actions or suits for indemnity for any damages or injury sustained by reason of the construction or operation of the railway shall be commenced within one year next after the time when such supposed damage is sustained, or if there is continuation of damage within one year next after the doing or committing of such damage ceases, and not afterwards; and the defendants may plead the general issue and give this Act and the Special Act and the special matter in evidence at any trial to be had thereupon, and may prove that the same was done in pursuance of and by the authority of this Act or of the Special Act. 51 V., c. 29, s. 287.

2. Nothing in this section shall apply to any action brought against the company upon any breach of contract, express or implied, in the carriage of any traffic nor to any action



against the company for damages under any section of Part XI. of this Act, respecting tolls.

3. No inspection had under this Act, and nothing in this Act contained, and nothing done or ordered or omitted to be done or ordered, under or by virtue of the provisions of this Act, shall relieve, or be construed to relieve, any company of or from any liability or responsibility resting upon it by law, either towards His Majesty or towards any person, or the wife or husband, parent or child, executor or administrator, tutor or curator, heir or personal representative, of any person, for anything done or omitted to be done by such company, or for any wrongful act, neglect or default, misfeasance, malfeasance or nonfeasance, of such company, or in any manner or way to lessen such liability or responsibility, or in any way to weaken or diminish the liability or responsibility of any such company, under the laws in force in the province in which such liability or responsibility arises. 51 V., c. 29, s. 288.

*Inspection not to relieve company from liability.*

#### X.—BY-LAWS, RULES AND REGULATIONS.

**243.** The company may, subject to the provisions and restrictions in this and in the Special Act contained, make by-laws, rules or regulations respecting—

*Company's by-laws respecting—*

(a.) the mode by which, and the speed at which, any rolling stock used on the railway is to be moved ; *Speed.*

(b.) the hours of the arrival and departure of trains ; *Timetables.*

(c.) the loading or unloading of cars, and the weights which they are respectively to carry ; *Loads.*

(d.) the receipt and delivery of traffic.

(e.) the smoking of tobacco, expectorating, and the commission of any nuisance in or upon trains, stations, or other premises occupied by the company ; *Freight regulations. Nuisances.*

(f.) the travelling upon, or the using or working of, the railway ; *Traffic and operation.*

(g.) the employment and conduct of the officers and employees of the company ; and— *Conduct.*

(h.) the due management of the affairs of the company. 51 V., c. 29, s. 214, Am. *Management.*

**244.** The company may, for the better enforcing the observance of any such by-law, rule or regulation, thereby prescribe a penalty not exceeding forty dollars for any violation thereof. 51 V., c. 29, s. 215. *Penalty for violation of by-laws.*

**245.** All by-laws, rules and regulations whether made by the directors or the company shall be reduced to writing, be signed by the chairman or person presiding at the meeting at which they are adopted, have affixed thereto the common seal of the company, and be kept in the office of the company. 51 V., c. 29, s. 216, Am. *Essentials to validity of by-law.*

Must be approved by Governor in Council.

Board to report.

**246.** All such by-laws, rules and regulations, except such as relate to tolls and such as are of a private or domestic nature and do not affect the public generally, shall be submitted to the Governor in Council for approval. The Governor in Council, having first obtained the report of the Board thereon, which report it shall be the duty of the Board to make, may sanction them or any of them, or any part thereof, and may, from time to time, rescind the sanction of any such by-law, rule or regulation, or of any part thereof. Except when so sanctioned no such by-law, rule or regulation shall have any force or effect. 63-64 V., c. 23, s. 9, Am.

Publication of by-laws, etc.

**247.** A printed copy of so much of any by-law, rule or regulation, as affects any person, other than the shareholders, or the officers or employees of the company, shall be openly affixed, and kept affixed, to a conspicuous part of every station belonging to the company, so as to give public notice thereof to the persons interested therein or affected thereby; and in the province of Quebec, such notice shall be published both in the English and French languages. 51 V., c. 29, s. 218.

Publication of by-laws, etc., affecting employees.

**2.** A printed copy of so much of any by-law, rule or regulation as relates to the conduct of or affects the officers or employees of the company, shall be given to every officer and employee of the company thereby affected; and in the province of Quebec the same shall be published both in the English and French languages. 51 V., c. 29, s. 219.

By-laws, etc., binding when approved.

**248.** Such by-laws, rules and regulations when so approved shall be binding upon, and observed by, all persons, and shall be sufficient to justify all persons acting thereunder. 51 V., c. 29, s. 220.

Summary interference in certain cases.

**249.** If the violation or non-observance of any by-law, rule or regulation, is attended with danger or annoyance to the public, or hindrance to the company in the lawful use of the railway, the company may summarily interfere, using reasonable force, if necessary, to prevent such violation, or to enforce observance, without prejudice to any penalty incurred in respect thereof. 51 V., c. 29, s. 221, Am.

Evidence.

**250.** A copy of any by-law, rule or regulation, certified as correct by the president, secretary or other executive officer of the company and bearing the seal of the company, shall be evidence thereof in any court. 51 V., c. 29, s. 222.

## XI.—TOLLS.

### *By-laws.*

By-laws to be passed authorizing issue of tariffs of tolls

**251.** The company or the directors of the company, by by-law, or any such officer or officers of the company as are thereunto authorized by by-law of the company or directors, may

may from time to time prepare and issue tariffs of the tolls to be charged, as hereinafter provided, for all traffic carried by the company upon the railway, or in vessels, and may specify the persons to whom, the place where, and the manner in which, such tolls shall be paid.

2. All such by-laws shall be submitted to and approved by the Board.

To be approved by Board.

3. The Board may approve such by-laws in whole or in part, or may change, alter or vary any of the provisions therein.

Board may approve in whole or in part or may change.

4. No tolls shall be charged by the company until a by-law authorizing the preparation and issue of tariffs of such tolls has been approved by the Board, nor shall the company charge, levy or collect any money for any services as a common carrier, except under the provisions of this Act. 51 V., c. 29, ss. 223, 227, 228 and 231, Am.

No tolls to be charged until by-law approved by Board.

### *Discrimination.*

**252.** Such tolls may be either for the whole or for any particular portions of the railway; but all such tolls shall always, under substantially similar circumstances and conditions be charged equally to all persons, and at the same rate, whether by weight, mileage or otherwise, in respect of all traffic of the same description and carried in or upon a like kind of cars, passing over the same portion of the line of railway; and no reduction or advance in any such tolls shall be made, either directly or indirectly, in favour of or against any particular person or company travelling upon or using the railway. 51 V., c. 29, s. 224, Am.

Discrimination prohibited.

2. The tolls for larger quantities, greater numbers, or longer distances may be proportionately less than the tolls for smaller quantities or numbers, or shorter distances, if such tolls are, under substantially similar circumstances charged equally to all persons. 51 V., c. 29, s. 225, Am.

Proportionate decrease in tolls in certain cases.

3. No toll shall be charged which unjustly discriminates between different localities. The Board shall not approve or allow any toll, which for the like description of goods or for passengers, carried under substantially similar circumstances and conditions in the same direction over the same line, is greater for a shorter than for a longer distance, the shorter being included in the longer distance, unless the Board is satisfied that owing to competition, it is expedient to allow such toll. The Board may declare that any places are competitive points within the meaning of this Act. 51 V., c. 29, s. 232, Am.

Unjust discrimination between localities prohibited.

Long and short haul clause.

Competitive points.

4. No company shall, except in accordance with the provisions of this Act, directly or indirectly, pool its freights or tolls with the freights or tolls of any other railway company or common carrier, nor divide its earnings or any portion thereof with any other railway company or common carrier, nor enter into any contract, arrangement, agreement, or combination to

Pooling prohibited.



effect, or which may effect, any such result, without leave therefor having been obtained from the Board.

Duty of company to afford reasonable facilities for receiving, forwarding and delivering traffic without partiality and without unreasonable delay.

Undue preference or advantage.

Difference in treatment.

Undue prejudice or disadvantage.

Agreements in violation void.

Power of Board to determine what are substantially similar circumstances undue preferences, etc.

**253.** All companies shall, according to their respective powers, afford to all persons and companies all reasonable, and proper facilities for the receiving, forwarding and delivering of traffic upon and from their several railways, for the interchange of traffic between their respective railways, and for the return of rolling stock; and no company shall make or give any undue or unreasonable preference or advantage to, or in favour of, any particular person, or company or any particular description of traffic, in any respect whatsoever,—nor shall any company, by any unreasonable delay or otherwise howsoever, make any difference in treatment in the receiving, loading, forwarding, unloading, or delivery of the goods of a similar character in favour of or against any particular person, or company, nor subject any particular person, or company, or any particular description of traffic, to any undue, or unreasonable, prejudice or disadvantage, in any respect whatsoever; nor shall any company so distribute or allot its freight cars as to discriminate unjustly against any locality or industry, or against any traffic which may originate on its railway destined to a point on another railway in Canada with which it connects; and every company which has or works a railway forming part of a continuous line of railway with, or which intersects, any other railway, or which has any terminus, station or wharf near to any terminus, station or wharf of any other railway, shall afford all due and reasonable facilities for delivering to such other railway, or for receiving from and forwarding by its railway all the traffic arriving by such other railway without any unreasonable delay, and without any such preference or advantage, or prejudice or disadvantage, as aforesaid, and so that no obstruction is offered to the public desirous of using such railways as a continuous line of communication, and so that all reasonable accommodation, by means of the railways of the several companies, is, at all times, afforded to the public in that behalf; and any agreement made between any two or more companies contrary to this section shall be unlawful and null and void. 51 V., c. 29, s. 240, Am., by 61 V., c. 22, s. 1, and 1 Ed. VII., c. 32, Am.

2. The Board may determine, as questions of fact, whether or not traffic is or has been carried under substantially similar circumstances and conditions, and whether there has, in any case, been unjust discrimination, or undue or unreasonable preference or advantage, or prejudice or disadvantage, within the meaning of this Act, or whether in any case the company has, or has not, complied with the provisions of this and the last preceding section; and may by regulation declare what shall constitute substantially similar circumstances and conditions, or unjust or unreasonable preferences, advantages, prejudices, or disadvantages within the meaning of this Act, or what shall



constitute compliance or non-compliance with the provisions of this and the last preceding section.

**254.** Whenever it is shown that any company charges one person, company, or class of persons, or the persons in any district, lower tolls for the same or similar goods, or lower tolls for the same or similar services, than they charge to other persons, companies, or class of persons, or to the persons in another district, or makes any difference in treatment in respect of such companies or persons, the burden of proving that such lower toll, or difference in treatment, does not amount to an undue preference or an unjust discrimination shall lie on the company.

Burden of proof respecting unjust discrimination, etc.

2. In deciding whether a lower toll, or difference in treatment, does or does not amount to any undue preference or an unjust discrimination, the Board may consider whether such lower toll, or difference in treatment, is necessary for the purpose of securing, in the interests of the public, the traffic in respect of which it is made, and whether such object cannot be attained without unduly reducing the higher tolls.

What Board may consider in determining unjust discrimination, etc.

3. In any case in which the toll charged by the company for carriage, partly by rail and partly by water, is expressed in a single sum, the Board, for the purpose of determining whether a toll charged is discriminatory or contrary in any way to the provisions of this Act, may require the company to declare forthwith to the Board, or may determine, what portion of such single sum is charged in respect of the carriage by rail. 61 V., c. 22, s. 2, Am.

Apportionment of toll for carriage by land and water.

### *Freight Classification.*

**255.** The tariffs of tolls for freight traffic shall be subject to and governed by that classification which the Board may prescribe or authorize. The Board shall endeavour to have such classification uniform throughout Canada, as far as may be, having due regard to all proper interests.

Freight classification to be adopted which Board may prescribe.

Uniformity.

2. The Board may make any special regulations, terms and conditions in connection with such classification and as to the carriage of any particular commodity or commodities mentioned therein, as to it may seem expedient.

Terms and conditions in classification, etc.

3. The company may, from time to time, with the approval of the Board, and shall, when so directed by the Board, place any goods specified by the Board in any stated class, or remove them from any one class to any other higher or lower class; but no goods shall be removed from a lower to a higher class until such notice as the Board determines has been given in *The Canada Gazette*.

Change of class.

4. Until the Board otherwise orders or directs, the freight classification last approved by the Governor in Council before the passing of this Act, shall continue in force, and any freight classification in use in the United States may, subject to such order or direction, be used by the company with respect to traffic to and from the United States. 51 V., c. 29, s. 226, Am.

Present freight classification.

*Tariffs.*

Form, etc., of  
tariffs.

**256.** All tariff by-laws and tariffs of tolls shall be in such form, size and style, and give such information, particulars and details, as the Board may, by regulation, or in any case, prescribe.

Disallowance,  
etc., of tariffs.

**257.** The Board may disallow any tariff or any portion thereof which it considers to be unjust or unreasonable, or contrary to any of the provisions of this Act, and may require the company, within a prescribed time, to substitute a tariff satisfactory to the Board in lieu thereof, or may prescribe other tolls in lieu of the tolls so disallowed, and may designate the date at which any tariff shall come into force.

Amending  
tariffs.

2. Any tariff in force (except standard tariffs, hereinafter mentioned) may, subject to disallowance or change by the Board, be amended or supplemented by the company, by tariffs, in accordance with the provisions of this Act.

Consolidation  
and reissue.

3. Where any tariff has been amended or supplemented from time to time, the Board may order that a consolidation and reissue of such tariff be made by the company.

Fraction of a  
mile consider-  
ed one mile.

**258.** In all cases a fraction of a mile in the distance over which traffic is carried on the railway shall be considered as a whole mile. In estimating the weight of any goods in any one single shipment on which the toll amounts to more than the minimum, or "smalls" toll, any fraction of five pounds shall be waived by the company, and five or any fraction above five and up to ten pounds shall be deemed ten pounds by the company; and in estimating the tolls to be charged in passenger tariffs, any fraction of five cents less than two and a half cents shall be waived by the company, and above two and a half cents and up to five cents shall be considered as five cents by the company. 51 V., c. 29, s. 229, Am.

Fractions of  
five pounds  
in weight.

Fractions of  
five cents.

Subdivision  
of freight  
tariffs.

**259.** The tariffs of tolls which the company shall be authorized to issue under this Act for the carriage of goods between points on the railway shall be divided into three classes, namely :—

Standard

The maximum mileage tariff, herein referred to as the Standard Freight Tariff;

Special.

The reduced class or commodity tariffs, herein referred to as the Special Freight tariffs;

Competitive.

And Competitive Tariffs.

What Stan-  
dard Freight  
tariff to  
specify.

**260.** The Standard Freight Tariff, or Tariffs, where the company is allowed by the Board more than one Standard Freight Tariff, shall specify the maximum mileage tolls to be charged for each class of the freight classification for all distances covered by the company's railway.

Such distances may be expressed in blocks or groups and such blocks or groups may include relatively greater distances for the longer than for the shorter hauls.

2. The Special Freight Tariffs shall specify the toll or tolls, lower than in the Standard Freight Tariff, to be charged by the company for any particular commodity or commodities, or for each or any class or classes of the freight classification, or to or from a certain point or points on the railway, greater tolls not being charged therein for a shorter than a longer distance over the same line in the same direction, the shorter being included in the longer. What Special Freight Tariffs to specify.

3. The Competitive Tariffs shall specify the toll or tolls lower than in the Standard Freight Tariff, to be charged by the company for any class or classes of the freight classification, or for any commodity or commodities, to or from any specified point or points which the Board may deem, or have declared, to be competitive points not subject to the long and short haul clause under the provisions of this Act. What Competitive Tariffs to specify.

**261.** Every Standard Freight Tariff shall be filed with the Board, and shall be subject to the approval of the Board. Standard Freight Tariff to be filed and approved.

2. Upon any such tariff being filed and approved by the Board the company shall publish the same, with a notice of such approval in such form as the Board directs in at least two consecutive weekly issues of *The Canada Gazette*. To be published in *Canada Gazette*.

3. Until the company files its Standard Freight Tariff or Tariffs as the case may be, with the Board, and such tariff or tariffs is, or are, so approved and published, no toll shall be charged by the company. Until filed, etc., no toll to be charged.

4. When the provisions of this section have been complied with, and except in the cases of Special Freight and Competitive Tariffs, the tolls as specified in the Standard Freight Tariff or Tariffs, as the case may be, shall be the only tolls which the company is authorized to charge for the carriage of goods. Upon compliance with this section what tolls authorized to be charged for freight.

**262.** Special Freight Tariffs and Competitive Tariffs shall be filed by the company with the Board, and every such tariff shall specify the date of the issue thereof and the date on which it is intended to take effect. Special freight tariffs, etc., to be filed.

2. When any such special freight tariff reduces any toll previously authorized to be charged under this Act, the company shall file such tariff with the Board and shall publish the same in the manner in section 274 in such case provided, three days previous to the date on which such tariff is intended to take effect. When any such special freight tariff advances any toll previously authorized to be charged under this Act, the company shall in like manner file and publish such tariff ten days previous to the date on which such tariff is intended to take effect. Where reduce tolls previously in force. Where advance.

3. Upon any such special freight tariff being so filed, the company shall, until such tariff is superseded or is disallowed by the Board, charge the toll or tolls as specified therein, and such special freight tariff shall supersede any preceding tariff or tariffs, or any portion or portions thereof, in so far as it reduces or advances the tolls therein. When company authorized to charge tolls specified in special freight tariffs, etc.



Board may make regulations as to filing of competitive tariffs.

4. In the case of Competitive Tariffs, where it may be necessary to meet the exigencies of competition, or as to the Board may seem expedient, the Board may make rules and regulations governing the filing or publication of the same, and may provide that any such tariffs may be acted upon and put in operation immediately upon the issue thereof by the company, before they have been filed with the Board as required by this Act.

Subdivision of passenger tariffs.

**263.** The tariffs of tolls which the company shall be authorized to issue under this Act for the carriage of passengers between points on the railway shall be divided into two classes, namely :

Standard.

The maximum mileage tariff, herein referred to as the Standard Passenger Tariff;

Special.

And Reduced Passenger Tariffs, herein referred to as Special Passenger Tariffs.

What standard passenger tariff shall specify.

2. The Standard Passenger Tariff shall specify the maximum mileage tolls to be charged for passengers for all distances covered by the company's railway; such distances may be expressed in like manner as provided herein in respect of Standard Freight Tariffs.

What special passenger tariffs shall specify.

3. Special Passenger Tariffs shall specify the toll or tolls to be charged by the company for passengers in every case where such tolls are lower than the tolls specified in the company's Standard Passenger Tariff.

Standard passenger tariff to be filed approved and published.

**264.** A Standard Passenger Tariff shall be filed, approved and published in the same manner as required by this Act in the case of a Freight Standard Tariff.

Otherwise no tolls to be charged by company.

2. Until the company files its Standard Passenger Tariff and such tariff is so approved and published in *The Canada Gazette*, no tolls shall be charged by the company.

Tolls authorized to be charged upon compliance.

3. When the provisions of this section have been complied with, and except in the case of Special Passenger Tariffs, the tolls in the Standard Passenger Tariff shall be the only tolls which the company is authorized to charge for the carriage of passengers.

Special passenger tariffs have to be filed and published.

**265.** All Special Passenger Tariffs shall be filed by the company with the Board, and published as required by section 274, three days before any such tariff is intended to take effect, or within such time, or in such manner, as the Board, owing to the exigencies of competition or otherwise, may require.

The date of the issue and the date on which, and the period, if any, during which, any such tariff is intended to take effect, shall be specified thereon.

When tolls authorized to be charged.

2. Upon any such tariff being so duly filed the company shall, until such tariff is superseded or is disallowed by the Board, charge the toll or tolls as specified therein, and such tariff shall supersede any preceding tariff or tariffs, or any portion or portions



tions thereof, in so far as it reduces or advances the tolls therein, but until such tariff is so duly filed, no such toll or tolls shall be charged by the company.

**266.** Where traffic is to pass over any continuous route in Canada operated by two or more companies, the several companies may agree upon a joint tariff for such continuous route, and the initial company shall file such joint tariff with the Board, and the other company or companies, shall promptly notify the Board of its, or their, assent to and concurrence in such joint tariff. The names of the companies whose lines compose such continuous route shall be shown by such tariffs.

Joint tariffs where agreed upon for through traffic in Canada.

**267.** In the event of failure by such companies to agree upon any such joint tariff as provided in the next preceding section, the Board on the application of any company or person desiring to forward traffic over any such continuous route, which the Board considers a reasonable and practicable route, or any portion thereof, may require such companies, within a prescribed time, to agree upon and file in like manner a joint tariff for such continuous route, satisfactory to the Board, or may, by order, determine the route, fix the toll or tolls and apportion the same among the companies interested, and may determine the date when the toll or tolls so fixed shall come into effect, and traffic shall be carried by the companies in accordance therewith.

Where failure to agree.

Power of Board

Order.

2. Upon any such order being made the company shall as soon as possible, or within such time as the Board may require, file and publish a Joint Tariff in accordance with this Act and in accordance with such order.

Upon order Company to file joint tariff.

3. In any case when there is a dispute between companies interested as to the apportionment of a through rate in any Joint Tariff, the Board may apportion such rate between such companies.

Apportionment of through rate.

4. The Board may decide that any proposed through rate is just and reasonable, notwithstanding that a less amount may be allotted to any company out of such through rate than the toll such company would otherwise be entitled to charge.

Power of Board.

**268.** Where traffic is to pass over any continuous route from a point in Canada through a foreign country into Canada, or from any point in Canada to a foreign country, such route being operated by two or more companies whether Canadian or foreign, the several companies shall file with the Board a Joint Tariff for such continuous route.

From Canada into foreign country.

2. Any goods carried or being carried from Canada through a foreign country into Canada, in violation of this section, shall, before being admitted into Canada, be subject to customs duties, as if such goods were of foreign production and coming into Canada for the first time, and, in case such goods are of a kind which would not otherwise be subject to any customs duties hereunder, shall be subject to a customs duty of thirty

Penalty for violation.

Goods subject to customs duties.

Liability of company for duties.

per centum of the value thereof; and if any such duty is paid by the consignor or consignee of such goods, the same shall be repaid to the persons so paying, on demand, by the Canadian company or companies. Any law to the contrary is hereby repealed or amended in so far as is necessary to give effect to this section.

From foreign country into Canada.

**269.** As respects all traffic which shall be carried from any point in a foreign country into Canada, or from a foreign country through Canada into a foreign country by any continuous route owned or operated by any two or more companies, whether Canadian or foreign, a Joint Tariff for such continuous route shall be duly filed with the Board.

"Canadian company" defined.

**270.** The expression "Canadian company" in the last two preceding sections shall mean and include any company owning or operating so much of any continuous line or route as lies in Canada.

Facilities to be afforded for through traffic.

**271.** The facilities to be afforded as required by section 258 shall include the due and reasonable receiving, forwarding and delivering by the company, at the request of any other company, of through traffic, and in the case of goods shipped by car load of the car with the goods shipped therein, to and from the railway of such other company, at a through rate, and also the due and reasonable receiving, forwarding and delivering by the company, at the request of any person interested in through traffic, of such traffic at through rates. 1 Edw. VII., c. 32, s. 1, Am.

Continuous carriage of through freight not to be unnecessarily interrupted.

**272.** No company shall, by any combination, contract or agreement, express or implied, or by other means or devices, prevent the carriage of goods from being continuous from the place of shipment to the place of destination; and no break in bulk, stoppage or interruption made by such company shall prevent the carriage of goods from being and being treated as one continuous carriage from the place of shipment to the place of destination, unless such break, stoppage or interruption was made in good faith for some necessary purpose and without any intent to avoid or unnecessarily interrupt such continuous carriage or to evade any of the provisions of this Act.

Filing and publication of joint tariffs.

**273.** Joint tariffs shall, as to the filing and publication thereof, be subject to the same provisions in this Act as are applicable to the filing and publication of local tariffs of a similar description; and upon any such joint tariff being so duly filed with the Board the company or companies shall, until such tariff is superseded or is disallowed by the Board, charge the toll or tolls as specified therein: Provided that the Board may except from the provisions of this section the filing and publication of any or all passenger tariffs of foreign railway companies.

When tolls therein to be charged.

Proviso: foreign companies.

2. The Board may require to be informed by the company of the proportion of the toll or tolls, in any joint tariff filed, which it or any other company, whether Canadian or foreign, is to receive or has received.

Information as to proportion of through rate received by each company.

**274.** The company shall deposit and keep on file in a convenient place open for the inspection of the public, during office hours, a copy of each of its tariffs at the respective places mentioned, as follows :—

Tariffs to be open to public inspection.

(a.) Standard Passenger and Freight Tariffs at every station or office of the company where passengers or freight, respectively, are received for carriage thereunder.

Standard tariffs.

(b.) Special Passenger and Freight Tariffs at every station or office of the company where passengers or freight, respectively, are received for carriage thereunder, and, as to such freight tariffs, as soon as possible, at each of its stations or offices to which freight traffic is to be carried thereunder.

Special tariffs.

(c.) Competitive Tariffs at each freight station or office of the company where goods are to be received and delivered thereunder.

Competitive tariffs.

(d.) Joint Tariffs under sections 266 and 267 at each freight station or office where traffic is to be received and at each freight station to which such tariffs extend.

Joint tariffs under secs. 266, 267.

(e.) Joint Tariffs under section 268 at each freight station or office where such traffic is to be received and at each freight station or office in Canada to which it is to be carried as its destination.

Joint tariffs under sec. 268.

(f.) Joint Tariffs under section 269 at each freight station or office in Canada to which such tariffs extend.

Joint tariffs under sec. 269.

3. The company shall keep on file at its stations or offices where freight is received and delivered, a copy of the freight classification, or classifications, in force upon the railway, for inspection during business hours.

Publication of freight classification.

3. The company shall post up in a prominent place at each of its stations where passengers or freight, respectively, are received for carriage, a notice in large type directing the public attention to the place in such station where the passenger or freight tariffs, respectively, are kept on file for public inspection during business hours, and the station agent, or person in charge at such station, shall produce to any applicant, on request, any particular tariff in use at that station which he may desire to inspect.

Notice to be posted at stations of place where tariffs open to inspection.

4. Notwithstanding anything in this section, the Board may, in addition to, or in substitution of, the publication of any tariff required by this section, by regulation or otherwise determine and prescribe the manner and form in which any such tariff shall be published or kept open by the company for public inspection, and may exempt from any such publication any competitive tariffs or any joint tariff under sections 268 or 269. 51 V., c. 29, s. 230, Am.

Power of Board as to publication of tariffs.



*General provisions respecting Carriage.*

Contracts,  
etc., impairing  
carrier's lia-  
bility.

**275.** No contract, condition, by-law, regulation, declaration or notice made or given by the company impairing, restricting or limiting its liability in respect of the carriage of any traffic shall relieve the company from such liability, except as herein-after provided, unless such class of contract, condition, by-law, regulation, declaration or notice shall have been first authorized or approved by order or regulation of the Board.

Power of  
Board.

2. The Board may, in any case, or by regulation, determine the extent to which the liability of the company may be so impaired, restricted or limited; and may by regulation prescribe the terms and conditions under which any traffic may be carried by the company.

Carriage, etc.,  
of certain  
traffic allowed  
free or at  
reduced rates.

3. Nothing in this Act shall be construed to prevent the carriage, storage or handling of traffic free or at reduced rates for the Dominion, or any provincial or municipal government, or for charitable purposes, or to or from fairs and expositions for exhibition thereat, or the carriage, free or at reduced rates, of destitute or homeless persons, transported by charitable societies, and the necessary agencies employed in such transportation; nor to prevent the issuance of mileage, excursion or commutation passenger tickets, or the carriage at reduced rates, of immigrants or settlers and their goods or effects, or any member of any organized association of commercial travellers with his baggage; nor to prevent railways from giving free carriage or reduced rates to their own officers and employees, or their families, or for their goods and effects, or to members of the Provincial Legislatures or of the press, or to such other persons as the Board may approve or permit; nor to prevent the principal officers of any railway, or any railway or transportation company, from exchanging passes, or free tickets with other railways, or railway or transportation companies, for their officers and employees and their families, or their goods and effects; provided that the carriage of traffic by the company under this subsection may, in any particular case or by general regulation, be extended, restricted, limited or qualified by the Board.

Special rates  
for specific  
shipments  
may be  
allowed by  
Board.

4. Notwithstanding anything in this Act, the Board may make regulations permitting the company to issue special rate notices prescribing tolls, lower than the tolls in force upon the railway, to be charged for specific shipments between points upon the railway, not being competitive points, where it considers the charging of the special tolls mentioned in any such notices will help to create trade or develop the business of the company or be in the public interest, and not otherwise contrary to the provisions of this Act; every such special rate notice or a duplicate copy thereof, shall be filed with the Board and shall exist merely for the purpose of giving effect to the special rate charged for the specific shipment mentioned therein.

Members of  
Parliament  
and Board

5. The company shall furnish free transportation upon any of its trains, for members of the Senate and House of Commons



of Canada with their baggage, and also for the members of the Board, and for such officers and staff of the Board as the Board may determine, with their baggage and equipment, and shall also, when required, haul free of charge any car provided for the use of the Board.

to have free transportation.

### *Traffic by Water.*

**276.** When the company, owns, charters, uses, maintains or works, or is a party to any arrangement for using, maintaining or working vessels for carrying traffic, by sea or by inland water, between any places or ports in Canada, the provisions of this Act in respect of tolls shall, so far as they are applicable, extend to the traffic carried thereby.

Carriage of traffic by water.

### *Traffic over or through certain Railway Bridges or Tunnels.*

**277.** When any company has power under any Special Act to construct, maintain and operate any bridge or tunnel for railway purposes, or for railway and traffic purposes, and to charge tolls for traffic carried over, upon or through such structure by any railway, the provisions of this Act in respect of tolls shall, so far as they are applicable, extend to such company and to the traffic so carried.

Traffic over certain bridges, etc.

### *Express Companies.*

**278.** Every company which grants any facilities for the carriage of goods by express to any incorporated express company or person, shall grant equal facilities, on equal terms and conditions, to any other incorporated express company which demands the same. 51 V., c. 29, s. 242.

Equal facilities to be granted to express companies.

### *Penalties and Actions.*

**279.** The company or any director or officer thereof, or any receiver, trustee, lessee, agent or person, acting for or employed by the company, who, alone or with any other company or person, shall wilfully do or cause to be done, or shall willingly suffer to be done any act, matter or thing, contrary to the provisions of, or to any order, direction, decision or regulation of the Board made or given under, this Act in respect of tolls, or who shall aid or abet therein, or shall wilfully omit or fail to do any act, matter, or thing thereby required to be done, or shall cause or willingly suffer or permit any act, matter or thing, so directed or required thereby to be done, not to be so done, or shall aid or abet any omission or failure, or shall be guilty of any infraction of any such order, direction, decision or regulation, or any of such provisions of this Act, or shall aid or abet therein, shall for each offence be liable to a penalty of not more than one thousand dollars, nor less than one hundred dollars. 51 V., c. 29, s. 241, Am.

Penalties for violation of Act as to tolls.

Penalties for  
false billing  
by company.

2. Any company or any officer or agent thereof, or any person acting for or employed by the company, who, by means of false billing, false classification, false report of weight or by any other device or means shall knowingly, wilfully, or shall willingly suffer or permit any person or persons to obtain transportation for goods at less than the required tolls then authorized and in force on the railway of the company, shall for each offence be liable to a penalty of not exceeding one thousand dollars nor less than one hundred.

Penalties for  
false billing by  
shippers, etc.

3. Any person or any officer or agent of any incorporated company who shall deliver goods for transportation to the company or for whom as consignor or consignee the company shall transport goods, who shall knowingly or wilfully, by false billing, false classification, false weighing, false representation of the contents of the package, or false report of weight, or by any other device or means, whether with or without the consent or connivance of the company, its agent or agents, obtain transportation for such goods at less than the regular tolls then authorized and in force on the railway shall for each offence be liable to a penalty of not exceeding one thousand dollars nor less than one hundred dollars. The Board may make regulations providing that any such person or company shall, in addition to the regular toll, be liable to pay to the company a further toll not exceeding fifty per cent of the regular charge. The company may, and when ordered by the Board shall, open and examine any package, box, case, or shipment, for the purpose of ascertaining whether this subsection has been violated.

Penalties for  
inducing un-  
just discrimi-  
nation.

4. Any person or company, or any officer or agent of any company, who shall offer, grant, or give, or shall solicit, accept or receive any rebate, concession, or discrimination in respect of the transportation of any traffic by the company, whereby any such traffic shall by any device whatsoever, be transported at a less rate than that named in the tariffs then in force, or for whom the company, or any of its officers or agents, shall by any such means be induced to transport traffic, and thereby to discriminate unjustly in his, its, or their favour as against any other person or company, or who shall aid or abet the company in any unjust discrimination, shall for each offence be liable to a penalty not exceeding one thousand dollars nor less than one hundred dollars.

Tariff binding  
on company.

5. Whenever the company files with the Board any tariff, and such tariff comes into force and is not disallowed by the Board, under this Act, or participates in any such tariff, the tolls in such tariff, while so in force, shall as against such company, its officers, agents or employees, in any prosecution under this Act, be conclusively deemed to be the legal tolls chargeable by such company, and any departure therefrom shall be an offence under this Act.

Actions for  
treble dam-  
ages.

6. The company shall, in addition to any penalty in this section provided, be liable at the suit of any person injured to three times the amount of the actual damage he may be proved to have sustained, by reason of any infraction by the

company or any officer, servant or agent of the company, of any of the provisions of, or of any order, direction, decision or regulation made or given by the Board under this Act in respect of tolls. 51 V., c. 29, s. 290, Am.

7. No prosecution shall be had or instituted for any penalty provided under this section nor shall any action be commenced for any treble damages under this section without the leave of the Board first being obtained. Leave of Board necessary.

### *Collection of Tolls.*

**280.** In case of refusal or neglect of payment on demand of any lawful tolls, or any part thereof, the same shall be recoverable in any court of competent jurisdiction; or the agents or servants of the company may seize the goods for or in respect whereof such tolls are payable and may detain the same until payment thereof, and in the meantime the said goods shall be at the risk of the owners thereof. 51 V., c. 29, s. 234, Am. Enforcing payment of tolls.

2. If the tolls are not paid within six weeks, and where the goods are perishable goods, if the tolls are not paid upon demand or such goods are liable to be destroyed while in the possession of the company by reason of delay in payment or taking delivery by the consignee, the company may advertise and sell the whole or any part of such goods and out of the money arising from such sale retain the tolls payable and all reasonable charges and expenses of such seizure, detention and sale, and shall deliver the surplus, if any, or such of the goods as remain unsold, to the person entitled thereto. 51 V., c. 29, s. 235, Am. Sale of goods to recover tolls.

3. If any goods remain in the possession of the company unclaimed for the space of twelve months, the company may thereafter and on giving public notice thereof by advertisement for six weeks in the *Official Gazette* of the province in which such goods are, and in such other newspapers as it deems necessary, sell such goods by public auction, at a time and place which shall be mentioned in such advertisement, and, out of the proceeds thereof, pay such tolls and all reasonable charges for storing, advertising and selling such goods; and the balance of the proceeds, if any, shall be kept by the company for a further period of three months, to be paid over to any person entitled thereto. 51 V., c. 29, s. 236. Unclaimed goods.  
Notice.  
Sale.  
Application of proceeds.

4. In default of such balance being claimed before the expiration of the period last aforesaid, the same shall be deposited with the Minister of Finance and Receiver General for the public uses of Canada but may be claimed by the person entitled thereto at any time within six years from the date of such deposit. 51 V., c. 29, s. 237, Am. Unclaimed balances.



## XII.—AGREEMENTS.

*Amalgamation Agreements.*

Agreements  
for sale, lease,  
or amalgama-  
tion of rail-  
way.

Approval of  
shareholders.

Sanction of  
Governor in  
Council on re-  
commenda-  
tion of Board.

Notice of  
application to  
Board.

Action of  
Board.

Duplicate  
original to be  
filed in office  
of Secretary  
of State.

Notice.

Amalgama-  
tion.

**281.** Where the company is authorized by any Special Act of the Parliament of Canada, to enter into an agreement with any other company for selling, conveying or leasing to such company the railway and undertaking of the company, in whole or in part, or for purchasing or leasing from such company, the railway and undertaking of such company, in whole or in part, or for amalgamation, such agreement shall be first approved by two-thirds of the votes of the shareholders of each company, parties thereto, at an annual general meeting, or at a special general meeting of each company called for the purpose of considering such agreement, at each of which meetings shareholders representing at least two-thirds in value of the capital stock of each company are present or represented by proxy; and upon such agreement being so approved, and duly executed it shall be submitted to the Board with an application for a recommendation to the Governor in Council for the sanction thereof.

2. Notice of the proposed application therefor shall be published in *The Canada Gazette* for at least one month prior to the time, to be stated therein, for the making of such application, and also, unless the Board otherwise orders, for a like period in one newspaper in each of the counties or electoral districts through which the railway, to be sold, leased or amalgamated, runs, in which a newspaper is published.

3. Upon such notice being given the Board shall grant or refuse such application, and upon granting the same shall make a recommendation to the Governor in Council for the sanction of such agreement.

4. Upon such agreement being sanctioned by the Governor in Council, a duplicate original of such agreement shall be filed in the office of the Secretary of State for Canada, and thereupon such agreement shall come into force and effect, and notice thereof shall be forthwith given in *The Canada Gazette*, and the production of *The Canada Gazette* containing such notice shall be *prima facie* evidence of the requirements of this section being complied with.

**282.** Upon any agreement for amalgamation coming into effect, as provided in the last preceding section, the companies, parties to such agreement, shall, subject to the provisions of this Act and the Special Act authorizing such agreement to be entered into, be deemed to be amalgamated, and shall form one company, under the name, and upon the terms and conditions in such agreement provided, and the amalgamated company shall possess and be vested with all the railways and undertakings, and all other the powers, rights, privileges, franchises, assets, effects, and properties, real, personal, and mixed, belonging to, possessed by, or vested in the companies,



parties to such agreement, or to which they, or any or either of them, may be or become entitled, and shall be liable for all claims, demands, rights, securities, causes of action, complaints, debts, obligations, works, contracts, agreements, or duties, to as full an extent as any, or either, of such companies were at or before the time that the amalgamation agreement came into effect.

Undertakings  
etc., vested in  
amalgamated  
company.

**283.** Notwithstanding anything in any agreement made or sanctioned under the provisions of the last two preceding sections every act, matter or thing, done, effected or confirmed under or by virtue of this Act or the Special Act before the date of the coming into effect of such agreement, shall be valid as if such agreement had never come into effect; and such agreement shall be subject, and without prejudice, to every such act, matter or thing, and to all rights, liabilities, claims and demands, present or future, which would be incident to, or consequent upon such act, matter or thing if such agreement had never come into effect; and in the case of an agreement for amalgamation, as to all acts, matters and things so done, effected or confirmed, and as to all such rights, liabilities, claims and demands, the amalgamated company shall for all purposes stand in the place of, and represent, the companies who are parties thereto, and the generality of the provisions of this section shall not be deemed to be restricted by any Special Act unless this section is expressly referred to in such Special Act, and expressly limited or restricted thereby.

Saving of  
rights and  
claims.

### *Traffic Agreements.*

**284.** The directors may, at any time, make and enter into any agreement or arrangement, not inconsistent with the provisions of this or the Special Act, with any other company, either in Canada or elsewhere, for the interchange of traffic between their railways or vessels, and for the division and apportionment of tolls in respect of such traffic.

Traffic agree-  
ments.

2. The directors may also make and enter into any agreement or arrangements, not inconsistent with the provisions of this or the Special Act, for the running of the trains of one company over the tracks of another company, and for the division and apportionment of tolls in respect of such traffic, and generally in relation to the management and working of the railways, or any of them, or any part thereof, and of any railway or railways in connection therewith, for any term not exceeding twenty-one years, and to provide, either by proxy or otherwise, for the appointment of a joint committee for the better carrying into effect any such agreement or arrangement, with such powers and functions as are considered necessary or expedient,—subject to the like consent of the shareholders, the sanction of the Governor in Council upon the recommendation of the Board, application, notices and filing, as provided in section 281 with respect to amalgamation

Conditions.

Board may  
exempt from  
conditions.

agreements, except that publication of notices in *The Canada Gazette* shall be sufficient, and that the duplicate original of such agreement or arrangement shall upon being sanctioned be filed with the Board: Provided that the Board may, by order or regulation, exempt the company from complying with any of the foregoing conditions with respect to any such agreement or arrangement made or entered into by the company for the transaction of the usual and ordinary business of the company, and where such consent of the shareholders is deemed by the Board to be unnecessary. 51 V., c. 29, ss. 238, 239, Am.

Saving.

3. Neither the making of any such arrangement or agreement, nor anything therein contained, nor any approval thereof, shall restrict, limit, or affect any power by this Act vested in the Board, or relieve the companies from complying with the provisions of this Act.

### XIII.—INSOLVENT COMPANIES.

Directors of  
insolvent  
railway  
company may  
file scheme of  
arrangement  
in Exchequer  
Court.

**285.** Where a company is unable to meet its engagements with its creditors, the directors may prepare a scheme of arrangement between the company and its creditors (with or without provisions for settling and defining any rights of shareholders of the company as among themselves, and for raising, if necessary, additional share and loan capital, or either of them) and may file it in the Exchequer Court with a declaration in writing, under the common seal of the company, to the effect that the company is unable to meet its engagements with its creditors, and with an affidavit of the truth of such declaration made by the president and directors, or by a majority of the president and directors of the company, to the best of their respective judgment and belief. 1 Edw. VII., c. 31, s. 1, Am.

Effect of  
filing.

2. After the filing of the scheme, the Exchequer Court may, on the application of the company on summons or motion in a summary way, restrain any action against the company on such terms as the Exchequer Court thinks fit. 1 Edw. VII., c. 31, s. 2, Am.

Notice of  
filing.

3. Notice of the filing of the scheme shall be published in *The Canada Gazette*. 1 Edw. VII., c. 31, s. 3.

Effect of  
notice.

4. After such publication of notice, no execution, attachment, or other process against the property of the company shall be available without leave of the Exchequer Court, to be obtained on summons or motion in a summary way. 1 Edw. VII., c. 31, s. 4, Am.

Assent of  
bondholders.

**286.** The scheme shall be deemed to be assented to by the holders of mortgages or bonds issued under the authority of this or any special Act relating to the company, when it is assented to in writing by three-fourths in value of the holders of such mortgages or bonds, and shall be deemed to be assented to by the holders of debenture stock of the company when it

is assented to in writing by three-fourths in value of the holders of such stock. 1 Edw. VII., c. 31, s. 5, Am.

2. Where any rent charge or other payment is charged on the receipts of, or is payable by, the company in consideration of the purchase of the undertaking of another company, the scheme shall be deemed to be assented to by the holders of such rent charge or other payment when it is assented to in writing by three-fourths in value of such holders. 1 Edw. VII., c. 31, s. 6.

Assent of holders of rent charges etc.

3. The scheme shall be deemed to be assented to by the guaranteed or preference shareholders of the company when it is assented to in writing as follows:—If there is only one class of guaranteed or preference shareholders, then by three-fourths in value of that class; and if there are more classes of guaranteed or preference shareholders than one, then by three-fourths in value of each such class. 1 Edw. VII., c. 31, s. 7.

Assent of guaranteed or preference shareholders.

4. The scheme shall be deemed to be assented to by the ordinary shareholders of the company when it is assented to by a special general meeting of the company specially called for that purpose. 1 Edw. VII., c. 31, s. 8.

Assent of ordinary shareholders.

5. Where the company is lessee of a railway, the scheme shall be deemed to be assented to by the leasing company when it is assented to as follows:—

Assent of lessors if company is lessee of railway.

(a.) In writing by three-fourths in value of the holders of mortgages, bonds and debenture stock of the leasing company;

(b.) If there is only one class of guaranteed or preference shareholders of the leasing company, then in writing by three-fourths in value of that class, and if there are more classes of guaranteed or preference shareholders in the leasing company than one, then in writing by three-fourths in value of each such class;

(c.) By the ordinary shareholders of the leasing company at a special general meeting of that company specially called for that purpose. 1 Edw. VII., c. 31, s. 9.

6. The assent to the scheme of any class of holders of mortgages, bonds or debenture stock, or of any class of holders of a rent charge or other payment as aforesaid or of any class of guaranteed or preference shareholders, or of a leasing company, shall not be requisite in case the scheme does not prejudicially affect any right or interest of such class or company. 1 Edw. VII., c. 31, s. 10.

When assent may be dispensed with.

**287.** If, at any time within three months after the filing of the scheme, or within such extended time as the Exchequer Court, from time to time, thinks fit to allow, the directors of the company consider the scheme to be assented to as by this Act required, they may apply to the Exchequer Court by petition in a summary way for confirmation of the scheme.

Application for confirmation of scheme.

2. Notice of any such application when intended shall be published in *The Canada Gazette*. 1 Edw. VII., c. 31, s. 11, Am.

Notice of application.



Confirmation  
by court.

3. After hearing the directors, and any creditors, shareholders, or other persons whom the Exchequer Court thinks entitled to be heard on the application, the court, if satisfied that the scheme has been, within three months after the filing of it, or such extended time, if any, as such court has allowed, assented to as required by this Act, and that no sufficient objection to the scheme has been established, may confirm the scheme. 1 Edw. VII., c. 31, s. 12, Am.

Enrolment in  
court.

4. The scheme when confirmed shall be enrolled in the Exchequer Court, and thenceforth it shall be binding and effectual to all intents, and the provisions thereof shall, against and in favour of the company and all persons assenting thereto or bound thereby, have the like effect as if they had been enacted by Parliament. 1 Edw. VII., c. 31, s. 13, Am.

Notice of  
confirmation  
and  
enrolment.

5. Notice of the confirmation and enrolment of the scheme shall be published in *The Canada Gazette*. 1 Edw. VII., c. 31, s. 14.

Copies of the  
scheme to be  
sold to the  
public.

**288.** The company shall at all times keep at its principal or head office printed copies of the scheme when confirmed and enrolled and shall sell such copies to all persons desiring to buy them at a reasonable price, not exceeding ten cents for each copy.

Penalty.

2. If the company fails to comply with this provision it shall be liable to a penalty not exceeding one hundred dollars, and to a further penalty not exceeding twenty dollars for every day during which such failure continues after the first penalty is incurred. 1 Edw. VII., c. 31, s. 15.

Rules of  
practice.

**289.** The judge of the Exchequer Court may make general rules for the regulation of the practice and procedure of the court under the last preceding four sections of this Act, which rules shall have force and effect when they are approved by the Governor in Council. 1 Edw. VII., c. 31, s. 16.

#### XIV.—OFFENCES AND PENALTIES.

Company not  
to purchase  
stock in other  
companies.

Existing  
rights saved.

**290.** No company shall, either directly, or indirectly, employ any of its funds in the purchase of its own stock, or in the acquisition of any shares, bonds or other securities issued by any other railway company in Canada; but this shall not affect the powers or rights which any company in Canada now has or possesses by virtue of any Special Act to acquire, have or hold shares, bonds, or other securities, of any railway company in Canada or the United States. 51, V., c. 29, s. 276, Am.

Penalty upon  
directors.

2. Every director of a railway company, who knowingly permits the funds of any such company to be applied in violation of this section, shall incur a penalty of one thousand dollars for each such violation, which penalty shall be recoverable on information filed in the name of the Attorney General of Canada: and a moiety thereof shall belong to His Majesty, and the other moiety thereof shall belong to the informer; and the



acquisition of each share, bond or other security, or interest, as aforesaid, shall be deemed a separate violation of the provisions aforesaid. 51 V., c. 29, s. 277.

**291.** Every person not connected with the railway, or employed by the company, who walks along the track thereof, except where the same is laid across or along a highway, is liable on summary conviction to a penalty not exceeding ten dollars. Walking on track prohibited.

2. Every person who wilfully breaks down, injures, weakens or destroys any gate, fence, erection, building or structure of a company, or removes, obliterates, defaces or destroys any printed or written notice, direction, order, by-law or regulation of a company, or any section of, or extract from this Act or any other Act of Parliament, which a company or any of its officers or agents have caused to be posted, attached or affixed to or upon any fence, post, gate, building or erection of the company, or any car upon any railway, shall be liable on summary conviction to a penalty not exceeding fifty dollars, or, in default of payment, to imprisonment for a term not exceeding two months. Destruction of fences, bridges, etc.  
Defacing notices, etc.  
Penalty.

3. Every person who enters upon any railway train without the knowledge or consent of an officer or servant of the company with intent fraudulently to be carried upon the said railway without paying fare thereon, or who wilfully obstructs or impedes any officer or agent of the company in the execution of his duty upon any train, railway, or upon any of the premises of the company, or who, not being an employee of the company, wilfully trespasses by entering upon any of the stations, cars or buildings of the company in order to occupy the same for his own purposes, shall be liable to the like penalty or imprisonment, and shall be liable to be proceeded against and dealt with in like manner, as mentioned in subsection two of this section in regard to the offences therein mentioned. Fraudulently attempting to travel without paying fare.  
Obstructing railway authorities.  
Trespassing.  
Penalties.

4. Any person charged with an offence under this section shall be a competent witness on his own behalf. 51 V., c. 29, s. 273, Am.; 62-63 V., c. 37, s. 4. Witnesses.

**292.** If the Board orders any company to erect, at or near, or in lieu of, any highway crossing at rail level, a foot bridge, or foot bridges, over its railway, for the purpose of enabling persons, passing on foot along such highway, to cross the railway by means of such bridge or bridges, from and after the completion of such foot bridge or foot bridges so required to be erected, and while the company keeps the same in good and sufficient repair, such crossing shall not be used by foot passengers on the said highway, except during the time when the same is used for the passage of carriages, carts, horses or cattle along the said road. Board may order foot-bridges erected at level crossings.  
Subsequent use of highway crossing.

2. Every person who offends against the provisions of this section is liable, on summary conviction to a penalty not exceeding ten dollars. 51 V., c. 29, s. 274, Am. Penalty for non-compliance.

Penalty for erection, etc., of structures in violation of this Act.

**293.** Every company which shall erect, operate or maintain any bridge, approach, tunnel, viaduct, trestle, or any building, erection or structure, in violation of this Act, or of any order or regulation of the Board, shall for each offence incur a penalty of fifty dollars. Sub. for 51 V., c. 29, s. 189.

Liability of company, directors, etc., in certain cases.

**294.** The company, or any director or officer thereof, or any receiver, trustee, lessee, agent, or person, acting for or employed by the company, doing, causing or permitting to be done, any matter, act or thing contrary to the provisions of this or the special Act, or to the orders or directions of the Governor in Council, or of the Board or Minister made hereunder, or omitting to do any matter, act or thing required to be done on the part of any such company, or person, is liable to any person injured thereby for the full amount of damages sustained by such Act or omission; and if no other penalty is, in this or the special Act, provided for any such act or omission, is liable, for each offence, to a penalty of not less than twenty dollars, and not more than five thousand dollars, in the discretion of the court before which the same is recoverable. 51 V., c. 29, s. 289, ss. 1, Am.

Damages.

Penalty.

Intoxication of conductors and drivers.

**295.** Every person who is intoxicated while he is in charge of a locomotive engine, or acting as the conductor of a car or train of cars, is guilty of an indictable offence and liable to ten years' imprisonment. 51 V., c. 29, s. 292.

Selling liquor to railway employees on duty.

2. Every person who sells, gives or barter any spirituous or intoxicating liquor to or with any servant or employee of any company, while on duty, is liable on summary conviction to a penalty not exceeding fifty dollars, or to imprisonment with or without hard labour for a period not exceeding one month, or to both. 51 V., c. 29, s. 293.

Violation by employees, of by-laws, etc., punishable in certain cases.

**296.** Every officer or servant of, and every person employed by the company, who wilfully or negligently violates any by-law, rule or regulation of the company or its directors lawfully made and in force, or any order or notice of the Board, or of the Minister or of an inspecting engineer, of which a copy has been delivered to him, or which has been posted up or open to his inspection in some place where his work or his duties, or any of them, are to be performed, if such violation causes injury to any person or to any property, or exposes any person or any property to the risk of such injury, or renders such risk greater than it would have been without such violation, although no actual injury occurs, is guilty of an offence, and shall, in the discretion of the court before which the conviction is had, and according as such court considers the offence proved to be more or less grave, or the injury or risk of injury to person or property to be more or less great, be punished by fine or imprisonment, or both; but no such fine shall exceed four hundred dollars, and no such imprisonment shall exceed the term of five years. 51 V., c. 29, s. 294, Am.

Penalty.

2. The company may, in all cases under this section, pay the amount of the penalty and costs, and recover the same from the offender or deduct it from his salary or pay. 51 V., c. 29, s. 295. Recovery of penalty from employees.

**297.** Every person who wilfully or negligently violates any by-law, rule or regulation of the company is liable, on summary conviction, for each offence, to a penalty not exceeding the amount therein prescribed, or if no amount is so prescribed, to a penalty not exceeding twenty dollars; but no such person shall be convicted of any such offence, unless at the time of the commission thereof a printed copy of such by-law, rule or regulation was openly affixed to a conspicuous part of the station at which the offender entered the train or at or near which the offence was committed. 51 V., c. 29, s. 296. Violation of by-laws, etc., by other persons.  
Penalty.  
Proviso as to posting by-law, etc.

**298.** Every person who—

(a.) bores, pierces, cuts, opens or otherwise injures any cask, box or package, which contains wine, spirits or other liquors, or any case, box, sack, wrapper, package or roll of goods, in, on or about any car, wagon, boat, vessel, warehouse, station house, wharf, quay or premises of, or which belong to any company, with intent feloniously to steal or otherwise unlawfully to obtain or to injure the contents, or any part thereof, or,— Damaging freight with intent to steal contents.

(b.) unlawfully drinks or wilfully spills or allows to run to waste any such liquors, or any part thereof,— Drinking or wasting liquor.

is liable, on summary conviction, to a penalty not exceeding twenty dollars over and above the value of the goods or liquors so taken or destroyed, or to imprisonment, with or without hard labour, for a term not exceeding one month, or to both. 51 V., c. 29, s. 297. Penalties.

**299.** When the violation of, or failure to comply with, any provisions of this Act, or any regulation or order or direction of the Board, or the Minister, or the Governor in Council, or of any inspecting engineer, is made an offence subject to penalty, by this Act, or by any regulation made under this Act, each day's continuance of such violation, or failure, to comply, shall constitute a new and distinct offence. Each day's violation of this Act, or order hereunder, a distinct offence.

2. For the purpose of enforcing any penalty under any of the provisions of this Act, or enforcing any regulation, order, or direction of the Board, the Minister, or the Governor in Council, or any inspecting engineer, made under this Act, the act, omission, or failure of any officer, agent, or other person acting for, or employed by the company acting within the scope of his employment shall in every case be also deemed to be the act, omission or failure of such company as well as that of the person; and anything done or omitted to be done by the company, which, if done or omitted to be done by any director, or officer thereof, or any receiver, trustee, lessee, agent, or person acting for or employed by the company, would constitute an offence under Act or omission of officer, etc., deemed to be act or omission of Company.  
Certain penalties may be imposed on summary convictions.  
Recovery of penalties.



under this Act, shall also be held to be an offence committed by such company, and upon conviction thereof the company shall be subject to the like penalties as are prescribed by this Act with reference to such persons.

Recovery of penalties under this Act.

**300.** Where any penalty, prescribed for any offence under this Act, is one hundred dollars or less, with or without imprisonment, the penalty may, subject to the provisions of this Act, be imposed and recovered on summary conviction before a justice of the peace; and where the penalty prescribed is more than one hundred dollars and less than five hundred dollars, the penalty may, subject, as aforesaid, be imposed and recovered on summary conviction before two or more justices, or before a police magistrate, a stipendiary magistrate or any person with the power or authority of two or more justices of the peace.

Proceedings instituted by Attorney General.

2. Whenever the Board shall have reasonable ground for belief that the company, or any person or corporation is violating or has violated any of the provisions of this Act in respect of which violation a penalty may be imposed under this Act, the Board may request the Attorney General for Canada to institute and prosecute proceedings on behalf of His Majesty the King against such company or person for the imposition and recovery of the penalty provided under this Act for such violation, or the Board may cause an information to be filed in the name of the Attorney General for Canada for the imposition and recovery of such penalty.

Prosecution for penalty over \$100.

3. No prosecution shall be had against the company for any penalty under this Act in which the company might be held liable for a penalty exceeding one hundred dollars, without the leave of the Board being first obtained.

Penalties a first charge on railway.

**301.** Where the company has been convicted of any penalty under this Act, such penalty shall be the first lien or charge upon the railway, property, assets, rents and revenues of the company.

## XV.—STATISTICS AND RETURNS.

Interpretation.

"Company."

**302.** In the following sections of this Act down to section three hundred and eight inclusive, unless the context otherwise requires, the expression "company" means a company constructing or operating a line of railway in Canada, whether otherwise within the legislative authority of the Parliament of Canada or not, and includes any individual or individuals not incorporated, who are owners or lessees of a railway in Canada, or parties to an agreement for working a railway in Canada. 51 V., c. 29, s. 298.

Annual returns to be prepared.

**303.** Every company shall annually prepare returns in accordance with the forms contained in schedule one to this Act, of its capital, traffic and working expenditure, and of all information



information required, as indicated in the said form, to be furnished to the Minister; and such returns shall be dated and signed by, and attested upon the oath of the secretary, or some other chief officer of the company, and of the president, or in his absence, of the vice-president or manager of the company. Form and attestation.

2. Such returns shall be made for the period included from the date to which the then last yearly returns made by the company extended, or from the commencement of the operation of the railway, if no such returns have been previously made, and, in either case, down to the last day of June, in the then current year. Period included.

3. A duplicate copy of such returns, dated, signed and attested in manner aforesaid, shall be forwarded by such company to the Minister within three months after the first day of July in each year. Duplicate for Minister.

4. The company shall also, in addition to the information required to be furnished to the Minister, as indicated in the said schedule one, furnish such other information and returns as are, from time to time, required by the Minister. Other returns when required.

5. Every company which makes default in forwarding such returns in accordance with the provisions of this section, shall incur a penalty not exceeding ten dollars for every day during which such default continues. Penalty for non-compliance.

6. The Minister shall lay before both Houses of Parliament, within twenty-one days from the commencement of each session thereof, the returns made and forwarded to him in pursuance of this section. 51 V., c. 29, s. 299. Returns to be submitted to Parliament.

**304.** Every company shall, weekly, prepare returns of its traffic, that is to say, from the first to the seventh of the month inclusive, from the eighth to the fourteenth inclusive, from the fifteenth to the twenty-first inclusive, and from the twenty-second to the close of the month, inclusive, and such returns shall be in accordance with the form contained in schedule two to this Act, and a copy of such returns, signed by the officer of the company responsible for the correctness of such returns, shall be forwarded by the company to the Minister, within seven days from the day to which the said returns have been prepared. The Minister may in any case extend the time within which such returns shall be forwarded. Weekly returns of traffic.

2. Every company which makes default in forwarding the weekly returns to the Minister, shall incur a penalty not exceeding ten dollars for every day during which such default continues. 51 V., c. 29, s. 300, Am. Penalty.

3. Every person who, knowing the same to be false in any particular, signs any return required by this or the next preceding section, is guilty of an offence punishable on summary conviction. 51 V., c. 29, s. 301, Am. Making false returns a misdemeanor.

**305.** Every company shall, within one month after the first days of January and July, in each and every year, make Semi-annual returns of accidents.

to the Minister, under the oath of the president, secretary or superintendent of the company, a true and particular return of all accidents and casualties, whether to life or property, which have occurred on the railway of the company during the half year next preceding each of the said periods respectively, setting forth—

Causes and nature.  
Locality and time.  
Extent and particulars.

- (a.) the causes and natures of such accidents and casualties ;
- (b.) the points at which they occurred, and whether by night or by day ;
- (c.) the full extent thereof, and all the particulars of the same ;

Copies of by-laws.

And shall also, when required by the Minister, return a true copy of the existing by-laws of the company, and of its rules and regulations for the management of the company and of its railway. 51 V., c. 29, s. 302, Am.

Minister may prescribe form of returns.

**306.** The Minister may order and direct, from time to time, the form in which such returns shall be made up, and may order and direct any company to make up and deliver to the Minister, from time to time, in addition to the said periodical returns, returns of serious accidents occurring in the course of the public traffic upon the railway belonging to such company, whether attended with personal injury or not, in such form and manner as the Minister deems necessary and requires for his information with a view to public safety. 51 V., c. 29, s. 303.

Returns of serious accidents.

Penalty for non-compliance.

**307.** If the returns required under the two sections next preceding, so verified, are not delivered within the respective times in the said sections prescribed, or within fourteen days after the same have been so required by the Minister, every company which makes default in so doing shall forfeit to His Majesty the sum of one hundred dollars for every day during which the company neglects to deliver the same. 51 V., c. 29, s. 304.

Returns are privileged communications.

**308.** All returns made in pursuance of any of the provisions of the six sections of this Act next preceding shall be privileged communications, and shall not be evidence in any court whatsoever, except in any prosecution under subsection three of section three hundred and four, or for perjury in making the said oath or for forgery of said return or any part thereof. 51 V., c. 29, s. 305, Am.

Exceptions.

Returns to Board, of assets and liabilities.

**309.** The Board may from time to time, by notice served upon the company, or any officer, servant or agent of the company, require it, or such officer, servant or agent to furnish the Board, at or within any time stated in such notice, a written statement or statements showing in so far, and with such detail and particulars, as the Board requires, the assets and liabilities of the company—the amount of its stock issued and outstanding—the date at which any such stock was so issued—

Of stock issued and outstanding, etc.

the amount and nature of the consideration received by the company for such issue, and, in case the whole of such consideration was not paid to the company in cash, the nature of the service rendered to or property received by the company for which any stock was issued—the gross earnings or receipts or expenditure by the company during any periods specified by the Board, and the purposes for which such expenditure was made—the amount and nature of any bonus, gift, or subsidy, received by the company from any source whatsoever, and the source from which and the time when, and the circumstances under which, the same was so received or given—the bonds issued at any time by the company, and what portion of the same are outstanding and what portion, if any, have been redeemed,—the amount and nature of the consideration received by the company for the issue of such bonds—the character and extent of any liabilities outstanding, chargeable upon the property or undertaking of the company, or any part thereof, and the consideration received by the company for any such liabilities, and the circumstances under which the same were created—the cost of construction of the company's railway or of any part thereof,—the amount and nature of the consideration paid or given by the company for any property acquired by it,—the particulars of any lease, contract or arrangement entered into between the company and any other company or person,—and generally, the extent, nature, value and particulars of the property, earnings, and business of the company.

Of earnings and expenditure.

Of bonuses.

Of bonds.

Of secured liabilities.

Of cost of property.

Of cost of acquirements.

Of leases and contracts.

Generally.

2. The Board may summon, require the attendance of, and examine under oath, any officer, servant or agent of the company, or any other person, as to any matters included in such return, or which were required by notice aforesaid to be returned to the Board, and as to any matter or thing which, in the opinion of the Board, is relevant to such return, or to any inquiry which the Board deems it expedient to make in connection with any of the matters in this section aforesaid; and for such purposes may require the production to the Board of any books or documents in control of the company, or such officer, servant, agent or person.

Powers of Board respecting returns.

Or inquiries respecting same.

Production documents.

3. If any company, or officer, servant, or agent thereof wilfully or negligently refuses to make such return when, and as thereunto, required by the Board, or fails to make any such return to the utmost of its, or his, knowledge or means of knowledge, the company, and every such officer, servant or agent, so in default, shall severally be liable, on conviction, to a penalty not exceeding one thousand dollars, and in addition, each such officer, servant or agent, so convicted shall be liable to imprisonment in the common jail of the county in which such conviction is made, for any period not exceeding twelve months.

Refusal to make returns.

Penalties.

4. If the company, or any officer, servant, or agent thereof, wilfully or negligently makes any false return, or any false statement in any such return, the company, and any such

Making false returns to Board.



such officer, servant or agent, shall be severally liable on conviction to a penalty not exceeding one thousand dollars, and such officer, servant or agent shall also on such conviction, be liable to imprisonment for any period not exceeding twelve months, in the common jail of the county where such conviction is had.

Information privileged.

Penalty for employees of Board divulging.

5. Any information furnished to the Board by any such return, or any evidence taken by the Board in connection therewith, shall not be open to the public, or published, but shall be for the information of the Board only; and if any official or servant of the Board, or any person having access to or knowledge of, any such return or evidence shall, without the authority of the Board first obtained, publish or make known any information, having obtained the same, or knowing the same to have been derived, from such return or evidence, he shall be liable, on conviction, to a penalty not exceeding five hundred dollars for each offence, and to imprisonment not exceeding six months in the common jail in the county where such conviction is had.

Governor in Council may examine returns, etc.

6. The Governor in Council may nevertheless require the Board to communicate to him in Council any or all information obtained by it in manner aforesaid.

Board may make information public, on notice to company, etc.

7. The Board may authorize any part of such information to be made public when, and in so far as there may appear to the Board to be good and sufficient reasons for so doing; but if the information so proposed to be made public by the Board, is of such character that the company would, in the opinion of the Board, be likely to object to the publication thereof, the Board shall not authorize such information to be published without notice to the company and hearing any objection which the company may make to such publication.

## - XVI.—REPEAL AND COMING INTO FORCE.

Repealed Acts.

**310.** The following Acts of the Parliament of Canada are hereby repealed :—

Chapter 29 of 51 Victoria ;—the whole.

Chapter 28 of 53 Victoria ;—the whole.

Chapter 51 of 54-55 Victoria ;—the whole.

Chapter 27 of 55-56 Victoria ;—the whole.

Chapter 27 of 56 Victoria ;—the whole.

Chapter 53 of 57-58 Victoria ;—the whole.

Chapter 9 of 59 Victoria ;—the whole except section 2.

Chapter 22 of 61 Victoria ;—the whole.

Chapter 37 of 62-63 Victoria ;—the whole.

Chapter 23 of 63-64 Victoria ;—the whole.

Chapter 31 of 1 Edward VII. ;—the whole.

Chapter 32 of 1 Edward VII. ;—the whole.

Date when Act comes into force.

**311.** This Act shall come into force on a day to be named by proclamation of the Governor General, and notice thereof shall be published in *The Canada Gazette*. But, in order to



allow time for the companies to comply with this Act in re-  
spect of tolls, tolls may be charged under the law as it stood  
immediately before the coming into force of this Act, until  
three months after this Act comes into force, or until such later  
date as the Board may by order in any case, or by regulation,  
fix and allow.

Tolls not  
affected until  
three months  
later.

SCHEDULE ONE.

.....Railway Company.

RETURN for the year ending June 30, 19 , required by the  
Minister of Railways and Canals, showing the conditions of  
the Capital and Revenue Account, etc., etc., of the Railways  
in the Dominion of Canada.

No. 1.—LOCATION AND GENERAL DESCRIPTION OF RAILWAY,

*Showing the county or counties through which the railway runs,  
the terminal points, connections, if any, and giving a general  
description of the line and the country through which it passes.*

June 30, 19 .

No. 2.—OFFICIAL NAME AND ADDRESS OF THE COMPANY AND  
OFFICIAL SEAL.

No. 3.—NAMES AND RESIDENCES OF DIRECTORS AND OFFICERS  
OF THE COMPANY, JUNE 30, 19 .

Names of Directors.	Residences.

President,  
Vice-President,  
Secretary,  
Treasurer,  
General Manager,  
Engineers,  
Superintendents.



This statement must agree with the totals shown in the Annual Accounts or Statements from the Directors to the Company, prepared under section 84 of *The Railway Act*, 1903, a copy of which must be transmitted with this return.

If there is more than one issue of preference shares or bonds, state them and the amount of each class.

**No. 8.—LOANS OR BONUSES FROM GOVERNMENTS OR MUNICIPALITIES, UP TO JUNE 30, 19 .**

From what Source.	Amount of Loan Granted.	Amount of Bonus Granted.	Amount of Sub- scription to Shares.	Amount of Sub- scription to Bonds.	Rate of Interest.	Date of Repay- ment.
	\$ cts.	\$ cts.	\$ cts.	\$ cts.	\$ cts.	\$ cts.
Governments... ..						
Total .....						
Municipalities... ..						
Total .....						

**No. 9.—BONDS OR OTHER SECURITIES NEGOTIATED BY THE COMPANY, UP TO JUNE 30, 19 .**

Amounts.	Rate of Interest.	Date of Sale.	Prices Realized.
\$ cts.	\$ cts.	\$ cts.	\$ cts.

**No. 10.—SALES OF LAND MADE BY THE COMPANY, UP TO JUNE 30, 19 .**

Acres Sold.	Price per Acre.	Amount.
	\$ cts.	\$ cts.





## No. 12.—CHARACTERISTICS OF ROAD, ETC., JUNE 30, 19 —Con.

	Miles.
Number of baggage, mail and express cars with air brakes. owned. hired	
" " " " with auto. couplers " " "	
" of cattle and box freight cars owned by Company	
" " " " hired	
" " " " with air brakes. owned. hired	
" " " " with auto. couplers " " "	
" of refrigerator cars owned by the Company	
" " " " hired	
" " " " with air brakes. owned. hired	
" " " " with auto. couplers " " "	
" of platform cars owned by Company	
" " " " hired	
" " " " with air brakes. owned. hired	
" " " " with auto. couplers " " "	
" of coal cars owned by Company	
" " " " hired	
" " " " with air brakes. owned. hired	
" " " " with auto. couplers " " "	
" of conductors' vans	
" " " " with air brakes. owned. hired	
" " " " with automatic couplers " " "	
" of tool cars	
" " " " with air brakes. owned. hired	
" " " " with automatic couplers " " "	
" of snow-ploughs and sweepers	
" of flangers	
" of other rolling stock	
" of ties to mile, main line	
" " " " branches	
Nature of fastenings used to secure joint of rail	
Number of grain elevators	
‡Capacity of " " at	
" " " " "	
" " " " "	
Number of highway crossings at rail-level at which watchmen are employed	
" " " " without watchmen	
" of overhead bridges carrying highway over railway	
" " " " farm crossings over railway	
Height of overhead bridges above rail-level	
Number of highway crossings under railway	
" of farm crossings under railway	
" of level crossings of other railways	
" of junctions with other railways	
" " " " branch lines	
Radius of sharpest curve	
Number of feet per mile of heaviest gradient	
Gauge of railway	

Mileage in Provinces.	Miles Completed. (Rails laid).	Miles in Operation.
Ontario		
Quebec		
New Brunswick		
Nova Scotia		
Prince Edward Island		
Manitoba		
British Columbia		
North-west Territories		
Total		

\* If the line, or any portion of it, is under construction, the length being constructed to be given.

† The length of the main line is the distance from point to point, irrespective of double track or sidings.

‡ State where these are situated, and the capacity of each.

No. 13.—ACTUAL COST OF RAILWAY AND ROLLING STOCK,  
UP TO JUNE 30, 19 .

	\$	cts.
1. Cost of land and land damages.....		
2. Cost in connection with the administration of Land Grant in aid, if any. ....		
3. Cost of grading, masonry and bridging, station buildings, &c.. ....		
4. Cost of rolling stock of all kinds, including workshops.....		
Total.....		

The above total to show the actual cash cost of construction and of rolling stock.

No. 14.—OPERATIONS OF THE YEAR ENDING JUNE 30, 19 ,  
AND NUMBER OF MILES RUN.

1. Miles run by passenger trains.....	
2. " freight trains.....	
3. " mixed trains.....	
4. Total miles run by trains ..	
5. " engines.....	
6. Total number of passengers carried.....	
7. " tons of freight (of 2,000 lbs.) carried.....	
8. Average rate of speed of passenger trains.....	
9. " freight trains.....	
10. Average weight of passenger trains in motion...	
11. " freight trains in motion...	

Note.—A train consists of one or more cars.

No. 15.—DESCRIPTION OF FREIGHT CARRIED DURING THE YEAR  
ENDING JUNE 30, 19 .

	Weight in Tons.
1. Flour in barrels, No .....	
2. Grain in bushels, No.....	
3. Live stock, No.....	
4. Lumber of all kinds, ft. B.M.....	
5. Coal and other fuel.....	
6. Manufactured goods.....	
7. All other articles.....	
Total weight carried. ....	

No. 16.—EARNINGS OF RAILWAY FOR YEAR ENDING  
JUNE 30, 19 .

	\$	cts.
1. From passenger traffic.....		
2. " freight traffic .....		
3. " mails and express freight...		
4. " other sources.....		
Total.....		

No. 17.—OPERATING EXPENSES—MAINTENANCE OF WAY,  
BUILDINGS, ETC., FOR THE YEAR ENDING JUNE 30, 19 .

	\$	cts.
1. Wages, etc., of labour employed on track, including sidings .....		
2. Cost of rails and fastenings .....		
3. Ballasting .....		
4. Repairs of bridges and culverts .....		
5. " and renewals of buildings .....		
6. " of fencing .....		
7. Clearing snow .....		
8. Engineering superintendence .....		
Total .....		

No. 18.—OPERATING EXPENSES—COST OF MOTIVE POWER FOR  
THE YEAR ENDING JUNE 30, 19 .

	\$	cts.
1. Wages of engineers, motormen, firemen and cleaners. ....		
2. Fuel .....		
3. Repairs of engines and tenders .....		
4. Oil, tallow, waste, etc., for engines .....		
5. Pumping engines .....		
6. Repairs of tools and machinery .....		
7. Superintendence .....		
Total .....		

No. 19.—OPERATING EXPENSES—MAINTENANCE OF CARS FOR  
THE YEAR ENDING JUNE 30, 19 .

	\$	cts.
1. Wages and material for repairs of passenger cars. ....		
2. " " freight cars and snow ploughs. ....		
3. " " other rolling stock .....		
4. Superintendence .....		
Total .....		

No. 20.—OPERATING EXPENSES—GENERAL AND OPERATING  
CHARGES FOR THE YEAR ENDING JUNE 30, 19 .

	\$	cts.
1. Office expenses, including directors, auditors, management, travel- ling expenses, stationery, etc.....		
2. Station agents, clerks, porters, etc.....		
3. Conductors, baggagemen and brakemen.....		
4. Compensation for personal injuries.....		
5. Loss or damage to freight.....		
6. Cattle killed.....		
7. Ferries and ferry-boats.....		
8. Foreign agencies.....		
9. Small stores, including lights, lamps and signals.....		
10. All other charges.....		
11.		
12.		
13.		
Total.....		

No. 21.—SUMMARY OF OPERATING EXPENSES FOR THE YEAR  
ENDING JUNE 30, 19 .

	\$	cts.
A. Maintenance of way, buildings, etc.....		
B. Motive power.....		
C. Maintenance of cars.....		
D. General and operating expenses.....		
Total cost of operating railway.....		
Operating expenses per train mile.....		

The above statement to include the full cost of operating the railway, and the total to correspond with the annual accounts or statements prepared under Sec. 84.



No. 22.—ACCIDENTS DURING THE YEAR ENDING  
JUNE 30, 19 .

Cause of Accident.	PASSENGERS.		EMPLOYEES.		OTHERS.		TOTAL.	
	Killed.	Injured.	Killed.	Injured.	Killed.	Injured.	Killed.	Injured.
1. Fell from cars or engines.								
2. Jumping on or off trains or engines when in motion.....								
3. At work on or near the track, making up trains								
4. Putting arms or heads out of windows .....								
5. Coupling cars. ....								
6. Collisions, or by trains thrown from track.....								
7. Struck by engine or cars on highway crossing...								
8. Walking, standing, lying, sitting or being on track								
9. Explosions .....								
10. Striking bridges. ....								
11. Other causes .....								
Total .....								

No. 23.—DETAILS OF ACCIDENTS DURING YEAR ENDING  
JUNE 30, 19 .

Date.	Name, Address and Occupation of Persons.	Place of Accident.	Cause.	Nature and Extent of Injury.

Passengers and employees to be entered separately.

CANADA, <i>Province of</i> ..... <i>County of</i> ..... To WIT:	}	Affidavit for President, or, in his absence, for Vice-President or Manager.
--	---	---

I,.....of the <sup>(1)</sup>.....  
 of.....in the County of.....  
 and Province aforesaid <sup>(2)</sup>.....of the  
 :.....  
 Railway Company, being duly sworn, make oath and say:—

That, to the best of my knowledge, information and belief,  
 the foregoing returns are true and correct.

SWORN before me at the.....of.....  
                   in the County of.....this.....  
                   day of.....19 .

.....

<sup>(3)</sup>.....

<sup>(1)</sup>. City, town, township or parish. <sup>(2)</sup>. President, Vice-President or Manager  
<sup>(3)</sup>. Official capacity of person administering oath.

CANADA, <i>Province of</i> ..... <i>County of</i> ..... To WIT:	}	Affidavit for the Secretary or some other Chief Officer.
--	---	---

I,.....of the <sup>(1)</sup>.....  
 of.....in the County of.....  
 and Province aforesaid, <sup>(2)</sup>.....of the  
 :.....  
 Railway Company, being duly sworn, made oath and say:—

That, to the best of my knowledge, information and belief,  
 the foregoing returns are true and correct.

SWORN before me at the.....of.....  
                   in the County of.....this.....  
                   day of.....19 .

.....

<sup>(3)</sup>.....

<sup>(1)</sup>. City, town, township or parish. <sup>(2)</sup>. Secretary or other chief officer.  
<sup>(3)</sup>. Official capacity of person administering oath.

SCHEDULE TWO.

.....Railway Company.

RETURN of Traffic for week ending 19 ,  
and corresponding week of 19 .

Week ended.	PASSENGERS.		FREIGHT AND LIVE STOCK.		Mails and Sundries	Total.	Per Mile per Period.	Miles Open.
	Number	Amount	Tons.	Amount				
		\$ cts.		\$ cts.	\$ cts.	\$ cts.	\$ cts.	
.....19	.....	.....	.....	.....	.....	.....	.....	.....
..... 19	.....	.....	.....	.....	.....	.....	.....	.....
Increase.....	.....	.....	.....	.....	.....	.....	.....	.....
Decrease.....	.....	.....	.....	.....	.....	.....	.....	.....

Aggregate Traffic from July 1, 19 .

Date.	PASSENGERS.		FREIGHT AND LIVE STOCK.		Mails and Sundries	Total.	Per Mile per Period.	Miles Open.
	Number	Amount	Tons.	Amount				
		\$ cts		\$ cts.	\$ cts.	\$ cts.	\$ cts.	
From .... 19	.....	.....	.....	.....	.....	.....	.....	.....
Corresponding period of .. 19	.....	.....	.....	.....	.....	.....	.....	.....
Increase.....	.....	.....	.....	.....	.....	.....	.....	.....
Decrease.....	.....	.....	.....	.....	.....	.....	.....	.....

OTTAWA : Printed by SAMUEL EDWARD DAWSON, Law Printer to the King's  
most Excellent Majesty.







## 3 EDWARD VII.

### CHAP. 59.

#### An Act to amend the Act respecting the Department of Railways and Canals.

[Assented to 24th October, 1903.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Advances for Railway Stores Account may be made, from time to time, out of the Consolidated Revenue Fund of Canada, to the Minister of Railways and Canals, to enable him to obtain, produce, manufacture, use and dispose of all necessary materials, equipment and stores, required or used in connection with the construction, renewal, maintenance and operation of the Canadian Government Railways: Provided that the making of such payments shall be subject to all the provisions and regulations on that behalf of *The Consolidated Revenue and Audit Act*. Advances authorized for railway stores. R.S.C., c. 29.

2. Stores accounts shall be established, as of the thirtieth day of June, 1903, in connection with the Intercolonial Railway and the Prince Edward Island Railway. These accounts shall, respectively, be debited with the balance of stores then held on account of each railway; with the cost of materials, equipment and stores purchased, and of work performed and expenses incurred in connection therewith, together with the cost of establishing, maintaining and conducting the railway stores, and shall be credited with the values of materials, equipment and stores as issued and charged to proper appropriations, or otherwise disposed of. Accounts.

3. The balance to the debit of the respective stores accounts so established, shall not at any time exceed, for the Intercolonial Railway the sum of one million five hundred thousand dollars, and for the Prince Edward Island Railway the sum of one hundred thousand dollars. Limitation.





## 3 EDWARD VII.

### CHAP. 60.

An Act to readjust the representation in the House of Commons.

[Assented to 24th October, 1903.]

**W**HEREAS the results of the census of 1901 necessitate a Preamble.  
readjustment of the representation in the House of Commons, pursuant to the provisions of *The British North America Act, 1867*, and the other statutes in that behalf, and it is expedient at the same time to provide for an increased representation in the said House of the North-west Territories: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. This Act may be cited as *The Representation Act, 1903*. Short title.

2. The House of Commons shall consist of two hundred and fourteen members, of whom eighty-six shall be elected for Ontario, sixty-five for Quebec, eighteen for Nova Scotia, thirteen for New Brunswick, ten for Manitoba, seven for British Columbia, four for Prince Edward Island, ten for the North-west Territories, and one for the Yukon Territory. Number of members for each province.

3. The said provinces and territories respectively shall, for the purposes of the election of members to serve in the House of Commons, be divided into electoral districts, and be represented, as provided in the schedule to this Act. Division into electoral districts.

4. Every town, village, township, parish or place lying within the territorial limits of any electoral district, and not specifically included in any other electoral district by the said schedule, shall be and be taken to be part of the electoral district in which it is so locally situate. Places not mentioned.

5. Wherever in the said schedule any word or expression is used to denote the name of any territorial division, such word or expression shall, unless the context otherwise requires, be Interpretation.

be construed as indicating such territorial division as it exists and is bounded at the date of the passing of this Act.

Incorrect  
description of  
municipality.

**6.** Wherever in the said schedule a municipality or place is wrongly referred to as a city, or a town, or a village, but there is within the territorial limits of the electoral district in the description of which the reference occurs a municipality or place of the same name which is a city, or a town, or a village, but is not of the class,—city, town or village, as the case may be,—specified in the schedule, the reference shall be taken to be to that municipality or place.

Rivers.

**7.** The limits of every electoral district bounded by a river extend to the middle of that river.

Islands.

**8.** The nearness of an island or islet to an electoral district is measured by the relative distance between either side of the island or islet and the shore of the opposite electoral district.

Commence-  
ment of Act.

**9.** This Act shall take effect only upon the dissolution of the present Parliament.

## SCHEDULE.

### ONTARIO.

The counties and territorial districts referred to are those constituted by or under chapter 3 of the Revised Statutes of Ontario, 1897, intituled “An Act respecting the Territorial Division of Ontario for Municipal and Judicial Purposes.”

### I.

Each of the following counties, with additions and exceptions as and where indicated, shall form an electoral district, to be called “the electoral district of (*adding the name of the county*),” and shall return one member :—

1. The county of Brant, exclusive of the electoral district of Brantford as hereinafter defined.

2. The county of Carleton, exclusive of the city of Ottawa and the townships of Gloucester and Osgoode.

3. The county of Dufferin.

4. The county of Dundas.

5. The county of Durham.

6. The county of Frontenac, exclusive of the city of Kingston and the village of Portsmouth.

7. The county of Glengarry.

8. The county of Grenville.

9. The county of Haldimand.

10. The county of Halton.

11. The county of Leeds, exclusive of the electoral district of Brockville as hereinafter defined.

12. The county of Lennox and Addington.



13. The county of Lincoln.
14. The county of Norfolk.
15. The county of Peel.
16. The county of Prescott.
17. The county of Prince Edward.
18. The county of Russell, with the townships of Gloucester and Osgoode, and Rideau Ward of the city of Ottawa.
19. The county of Stormont.
20. The county of Victoria, with the provisional county of Haliburton.
21. The county of Welland.
22. The county of Wentworth, exclusive of the city of Hamilton.

## II.

23. The territorial district of Muskoka shall constitute the electoral district of Muskoka, and shall return one member.
24. The territorial district of Nipissing, with the townships of Clara, Head and Maria, shall constitute the electoral district of Nipissing, and shall return one member.
25. The territorial districts of Thunder Bay and Rainy River shall constitute the electoral district of Thunder Bay and Rainy River, and shall return one member.
26. The territorial district of Parry Sound shall constitute the electoral district of Parry Sound, and shall return one member.
27. The city of Brantford, with the township of Oakland, and that part of the township of Brantford south and west of the Grand River, shall constitute the electoral district of Brantford, and shall return one member.
28. The town of Brockville, the township of Elizabethtown, the township of Yonge and Escott, Front, the township of Yonge and Escott, Rear, and the village of Athens shall constitute the electoral district of Brockville, and shall return one member.
29. The city of Kingston, including the village of Portsmouth, shall constitute the electoral district of Kingston, and shall return one member.
30. The city of London shall constitute the electoral district of London, and shall return one member.
31. The city of Ottawa, exclusive of Rideau Ward, shall constitute the electoral district of Ottawa, and shall return two members.

## III.

The following counties, cities, and territorial districts, with additions and exceptions as and where indicated, shall be divided as follows, each riding to be an electoral district, and each electoral district to return one member:—

32. The territorial districts of Algoma and Manitoulin, into two ridings, to be called respectively the east and west ridings of Algoma.

(a.) The east riding shall consist of the tract of territory described as follows: the whole of the territorial district of Manitoulin and all that portion of the territorial district of Algoma which lies to the east of a line described as follows:—Commencing at a point in the southerly limit of the territorial district of Algoma where it is intersected by the production in a straight line southerly of the limit between the townships of Lefroy and Plummer Additional; thence north along the said production and along the said limit to the north-west corner of the said township of Lefroy; thence due north to the northerly limit of the said territorial district of Algoma.

(b.) The west riding shall consist of the tract of territory described as follows:—All the remaining portion of the territorial district of Algoma lying west of the lines described in the next preceding paragraph.

33. The county of Bruce, into two ridings, to be called respectively the north and the south ridings of Bruce.

(a.) The north riding shall consist of the townships of Albe-marle, Amabel, Arran, Bruce, Eastnor, Kincardine, Lindsay, Saugeen and St. Edmunds, the towns of Kincardine and Wiarton, and the villages of Port Elgin, Southampton, Tara and Tiverton.

(b.) The south riding shall consist of the townships of Brant, Carrick, Culross, Elderslie, Greenock, Huron, and Kinloss, the town of Walkerton, and the villages of Chesley, Lucknow, Paisley and Teeswater.

34. The county of Elgin into two ridings, to be called respectively the east and the west ridings of Elgin.

(a.) The east riding shall consist of the townships of Bayham, Dorchester South, Malahide and Yarmouth, the town of Aylmer, and the villages of Port Stanley, Springfield and Vienna.

(b.) The west riding shall consist of the townships of Alborough, Dunwich and Southwold, the city of St. Thomas, and the town of Dutton.

35. The county of Essex, into two ridings, to be called respectively the north and the south ridings of Essex.

(a.) The north riding shall consist of the townships of Maidstone, Rochester, Sandwich East, Sandwich South and Sandwich West, the city of Windsor, the towns of Sandwich and Walkerville, and the village of Belle River.

(b.) The south riding shall consist of the townships of Anderdon, Colchester North, Colchester South, Gosfield North, Gosfield South, Malden, Mersea, Pelée, Tilbury North, Tilbury West, the towns of Amherstburg, Essex, Kingsville and Leamington, and that portion of the village of Tilbury lying in the county of Essex.

36. The county of Grey into three ridings, to be called respectively the east, the north and the south ridings of Grey.

(a.) The east riding shall consist of the townships of Artemesia, Collingwood, Euphrasia, Holland, Osprey and  
Proton,

Proton, the town of Thornbury, and the villages of Dundalk and Markdale.

(b.) The north riding shall consist of the townships of Derby, Keppel, Sarawak, St. Vincent and Sydenham, and the towns of Meaford and Owen Sound.

(c.) The south riding shall consist of the townships of Benthick, Egremont, Glenelg, Normanby and Sullivan, the town of Durham, and the village of Hanover.

37. The county of Hastings, into two ridings, to be called respectively the east and the west ridings of Hastings.

(a.) The east riding shall consist of the townships of Thurlow, Tyendinaga, Hungerford, Madoc, Elzevir and Grimsthorpe, Tudor, Cashel, Limerick, Dungannon, Mayo, Monteagle and Carlow, the town of Deseronto, and the villages of Madoc and Tweed.

(b.) The west riding shall consist of the townships of Sydney, Rawdon, Huntingdon, Marmora and Lake, Wollaston, Faraday, Herschel, McClure, Wicklow and Bangor, the city of Belleville, the town of Trenton, and the villages of Marmora and Sterling.

38. The county of Huron, into three ridings, to be called respectively the east, the south and the west ridings of Huron.

(a.) The east riding shall consist of the townships of Grey, Howick, Morris, Turnberry and Wawanosh East, the town of Wingham, and the villages of Blyth, Brussels and Wroxeter.

(b.) The south riding shall consist of the townships of Hay, McKillop, Stanley, Stephen, Tuckersmith and Usborne, the town of Seaforth, and the villages of Bayfield, Exeter and Hensall.

(c.) The west riding shall consist of the townships of Ashfield, Colborne, Goderich, Hullett and Wawanosh West, and the towns of Clinton and Goderich.

39. The county of Kent, into two ridings, to be called respectively the east and the west ridings of Kent.

(a.) The east riding shall consist of the townships of Camden, Chatham, Howard, Orford and Zone, the towns of Bothwell, Dresden, Ridgetown and Wallaceburg, and the village of Thamesville.

(b.) The west riding shall consist of the townships of Dover East, Dover West, Harwich, Raleigh, Romney and Tilbury East, the city of Chatham, the town of Blenheim, and all that part of the village of Tilbury lying in the county of Kent.

40. The county of Lambton, into two ridings, to be called respectively the east and the west ridings of Lambton.

(a.) The east riding shall consist of the townships of Bosanquet, Brooke, Enniskillen, Euphemia and Warwick, the towns of Forest and Petrolia, and the villages of Alvinston, Arkona, Oil Springs, Thedford and Watford.

(b.) The west riding shall consist of the townships of Dawn, Moore, Plympton, Sarnia and Sombra, the town of Sarnia, and the villages of Point Edward and Wyoming.



41. The county of Lanark, into two ridings, to be called respectively the north and south ridings of Lanark.

(a.) The north riding shall consist of the townships of Dalhousie, Darling, Lanark, Lavant, Pakenham, Ramsay and Sherbrooke North, the towns of Almonte and Carleton Place, and the village of Lanark.

(b.) The south riding shall consist of the townships of Bathurst, Beckwith, Burgess North, Drummond, Elmsley North, Montague and Sherbrooke South, and the towns of Perth and Smith's Falls.

42. The county of Middlesex, exclusive of the city of London, into three ridings, to be called respectively the east, the north and the west ridings of Middlesex.

(a.) The east riding shall consist of the townships of Dorchester North, London, Nissouri West and Westminster.

(b.) The north riding shall consist of the townships of Adelaide, Biddulph, Lobo, McGillivray, Williams East and Williams West, the town of Parkhill, and the villages of Ailsa Craig and Lucan.

(c.) The west riding shall consist of the townships of Caradoc, Delaware, Ekfrid, Metcalfe and Mosa, the town of Strathroy, and the villages of Glencoe, Newbury and Wardsville.

43. The county of Northumberland, exclusive of the township of Monaghan South, into two ridings, to be called respectively the east and the west ridings of Northumberland.

(a.) The east riding shall consist of the townships of Brighton, Cramahe, Murray, Percy and Seymour, and the villages of Brighton, Campbellford, Colborne and Hastings.

(b.) The west riding shall consist of the townships of Alnwick, Haldimand and Hamilton, and the town of Cobourg.

44. The county of Ontario, into two ridings, to be called respectively the north and the south ridings of Ontario.

(a.) The north riding shall consist of the townships of Brock, Mara, Rama, Scott, Thora and Uxbridge, the town of Uxbridge, and the villages of Beaverton and Cannington.

(b.) The south riding shall consist of the townships of Pickering, Reach, Scugog, Whitby and Whitby East, the towns of Oshawa and Whitby, and the village of Port Perry.

45. The county of Oxford, into two ridings, to be called respectively the north and south ridings of Oxford.

(a.) The north riding shall consist of the townships of Blandford, Blenheim, Nissouri East, Zorra East and Zorra West, the city of Woodstock, and the village of Embro.

(b.) The south riding shall consist of the townships of Dereham, Norwich North, Norwich South, Oxford East, Oxford North and Oxford West, the towns of Ingersoll and Tilsonburg, and the village of Norwich.

46. The county of Perth, into two ridings, to be called respectively the north and the south ridings of Perth.

(a.) The north riding shall consist of the townships of Easthope North, Ellice, Elma, Mornington and Wallace, the city of Stratford, the town of Listowel, and the village of Milverton.



(b.) The south riding shall consist of the townships of Blanchard, Downie, Easthope South, Fullerton, Hibbert and Logan, and the towns of Mitchell and St. Mary's.

47. The county of Peterborough, with the township of Monaghan South, into two ridings, to be called respectively the east and the west ridings of Peterborough.

(a.) The east riding shall consist of the townships of Anstruther, Asphodel, Belmont, Burleigh, Chandos, Douro, Dummer, Methuen and Otonabee, and the villages of Havelock, Lakefield and Norwood.

(b.) The west riding shall consist of the townships of Cavenish, Ennismore, Galway, Harvey, Monaghan North, Monaghan South and Smith, the town of Peterborough, and the village of Ashburnham.

48. The county of Renfrew, exclusive of the townships of Clara, Head and Maria, into two ridings, to be called respectively the north and south ridings of Renfrew.

(a.) The north riding shall consist of the townships of Algona North, Algona South, Alice, Bromley, Buchanan, Fraser, McKay, Pembroke, Petewawa, Rolph, Ross, Stafford, Westmeath, Wilberforce and Wylie, the town of Pembroke, the village of Cobden, and so much of the village of Eganville as lies within the township of Wilberforce.

(b.) The south riding shall consist of the townships of Adamston, Bagot, Blithfield, Brougham, Brudenell, Burns, Grattan, Griffith, Hagarty, Horton, Jones, Lyndoch, Matawatchan, McNab, Radcliffe, Raglan, Richards, Sebastopol and Sherwood, the towns of Arnprior and Renfrew, and so much of the village of Eganville as lies within the township of Grattan.

49. The county of Simcoe, into three ridings, to be called respectively the east, the north and the south ridings of Simcoe.

(a.) The east riding shall consist of the townships of Matchedash, Medonte, Orillia North, Orillia South, Tay and Tiny, and the towns of Midland, Orillia and Penetanguishene.

(b.) The north riding shall consist of the townships of Flos, Nottawasaga, Oro, Sunnidale and Vespra, the towns of Collingwood and Stayner, and the village of Creemore.

(c.) The south riding shall consist of the townships of Ad-jala, Essa, Gwillimbury West, Innisfil, Tecumseth and Tossorontio, the towns of Alliston and Barrie, and the villages of Beeton, Bradford and Tottenham.

50. The county of Waterloo, into two ridings, to be called respectively the north and the south ridings of Waterloo.

(a.) The north ridings shall consist of the townships of North Waterloo, Wellesley and Woolwich, the towns of Berlin and Waterloo, and the village of Elmira.

(b.) The south riding shall consist of the townships of North Dumfries, South Waterloo and Wilmot, and the towns of Ayr, Galt, Hespeler, New Hamburg and Preston.

The township of Waterloo shall be divided, for the purposes of representation, into two townships, to be called respectively the township of North Waterloo and the town-

ship of South Waterloo: The township of North Waterloo shall include and consist of that part of the township of Waterloo lying within the following limits, that is to say:—Commencing at the south-west angle of lot number forty-six in said township, thence easterly along the southerly limits of said lot, and of lots number forty-seven, forty-eight, fifty, fifty-one and fifty-three, and the prolongation thereof, to the middle of the Grand River; thence along the middle of the said river against the stream to the prolongation of the limit between lots number one hundred and thirteen and one hundred and fourteen, and along the prolongation of the limit between the said lots number one hundred and thirteen and one hundred and fourteen, and along the limit between said lots number one hundred and thirteen and one hundred and fourteen, northerly and easterly, to the westerly limit of lot number one hundred and seven; thence along the westerly limit of said number one hundred and seven, northerly, to the northerly limit thereof; thence along the northerly limits of said lot number one hundred and seven, and of lots number one hundred and six, eighty-four and ninety-six, easterly, to the easterly boundary of said township; thence along the easterly, northerly and westerly boundaries of said township, in a northerly, westerly and southerly direction respectively, to the place of beginning: And the township of South Waterloo shall include and consist of all the remaining part of the said township of Waterloo.

51. The county of Wellington, into two ridings, to be called respectively the north and the south ridings of Wellington.

(a.) The north riding shall consist of the townships of Arthur, Garafraxa West, Luther West, Maryborough, Minto and Peel, the towns of Harriston, Mount Forest and Palmerston, and the villages of Arthur, Clifford and Drayton.

(b.) The south riding shall consist of the townships of Eramosa, Erin, Guelph, Nichol, Pilkington and Puslinch, the city of Guelph, and the villages of Flora, Erin and Fergus.

52. The county of York, exclusive of the city of Toronto, into three ridings, to be called respectively the centre, the north and the south ridings of York.

(a.) The centre riding shall consist of the townships of Etobicoke, Markham, Scarborough and Vaughan, and the villages of Markham, Richmond Hill, Weston and Woodbridge.

(b.) The north riding shall consist of the townships of Georgina, Gwillimbury East, Gwillimbury North, King and Whitchurch, the towns of Aurora and Newmarket, and the villages of Holland Landing, Stouffville and Sutton.

(c.) The south riding shall consist of the township of York, and the towns of East Toronto, North Toronto, and Toronto Junction.

53. The city of Hamilton, into two electoral districts, to be called respectively Hamilton East and Hamilton West.

(a.) The electoral district of Hamilton East shall consist of wards 1, 6 and 7 of the said city.

(b.) The electoral district of Hamilton West shall consist of wards 2, 3, 4 and 5 of the said city.

54. The city of Toronto, into five electoral districts, as follows:—

(a.) The electoral district of Toronto Centre shall consist of all that portion of the city of Toronto described as follows:—Commencing at the point of intersection of the centre line of Queen Street west by the centre line of Palmerston Avenue, thence northerly along the said centre line of Palmerston Avenue to the centre line of College Street; thence easterly along the centre line of College Street to the centre line of Spadina Avenue; thence southerly along the centre line of Spadina Avenue to the centre line of College Street; thence easterly along the centre line of College Street to the centre line of Yonge Street; thence southerly along the centre line of Yonge Street to the centre line of Carleton Street; thence easterly along the centre line of Carleton Street to the centre line of Sherbourne Street; thence southerly along the centre line of Sherbourne Street to the centre line of Queen Street East; thence westerly along the centre line of Queen Street, East and West, to the point of commencement.

(b.) The electoral district of Toronto East shall consist of all that portion of the city of Toronto bounded towards the west by a line described as follows:—Commencing at the southern limit of the city of Toronto where it is intersected by the production southerly of the centre line of the River Don Roadway on the west side of the River Don; thence north-westerly along said production and said centre line to the centre line of Queen Street East; thence westerly along the centre line of Queen Street East to the centre line of Sherbourne Street; thence northerly along the centre line of Sherbourne Street to the centre line of Bloor Street; thence easterly along the centre line of Bloor Street produced easterly to the city limits at Castle Frank Avenue.

(c.) The electoral district of Toronto North shall consist of all that portion of the city of Toronto described as follows:—Commencing at the intersection of the north limit of the said city of Toronto by the centre line of Palmerston Avenue; thence southerly along the centre line of Palmerston Avenue to the centre line of College Street; thence easterly along the centre line of College Street to the centre line of Spadina Avenue; thence southerly along the centre line of Spadina Avenue to the centre line of College Street; thence easterly along the centre line of College Street to the centre line of Yonge Street; thence southerly along the centre line of Yonge Street to the centre line of Carleton Street; thence easterly along the centre line of Carleton Street to the centre line of Sherbourne Street; thence northerly along the centre line of Sherbourne Street to the centre line of Bloor Street; thence easterly along the centre line of Bloor Street produced easterly to the city limits at Castle Frank Avenue; thence in a north-



erly and westerly direction following the north limits of the city of Toronto to the point of commencement.

(d.) The electoral district of Toronto South shall consist of all that portion of the city of Toronto, including Toronto Island, which lies to the south and west of a line described as follows:—Commencing at the southern limit of the city of Toronto where it is intersected by the production southerly of the centre line of the River Don Roadway on the west side of the River Don; thence north-westerly along the said production and the said centre line to the centre line of Queen Street East; thence westerly along the centre line of Queen Street, East and West, and its production westerly to the south limit of the said city of Toronto.

(e.) The electoral district of Toronto West shall consist of all that portion of the city of Toronto bounded towards the east and south by a line described as follows:—Commencing at the intersection of the north limit of the said city of Toronto by the centre line of Palmerston Avenue; thence southerly along the centre line of Palmerston Avenue to the centre line of Queen Street West; thence westerly along the centre line of Queen Street West and its production westerly to the southern limit of the said city of Toronto.

#### QUEBEC.

The electoral districts of the province of Quebec shall continue to be constituted and represented in the House of Commons, as at present, except in the following particulars:—

(a.) The parish of Lavaltrie shall be transferred from the electoral district of L'Assomption to the electoral district of Berthier;

(b.) The Indian village and reserve of Caughnawaga shall be transferred from the electoral district of Chateauguay to the electoral district of Laprairie and Napierville;

(c.) The parish of Lacolle, together with the islands situated in the river Richelieu opposite thereto, shall be transferred from the electoral district of Missisquoi to the electoral district of St. Johns and Iberville;

(d.) The parishes of Notre Dame de Stanbridge and Notre Dame des Anges de Stanbridge shall be transferred from the electoral district of St. Johns and Iberville to the electoral district of Missisquoi;

(e.) The parish of St. Pie shall be transferred from the electoral district of Rouville to the electoral district of Bagot;

(f.) The parish of St. Marcel shall be transferred from the electoral district of Bagot to the electoral district of Richelieu;

(g.) That part of the parish of Ste. Hélène, in the electoral district of Bagot, already municipally detached from the said parish to form part of the parish of St. Eugène de Grantham, shall be transferred from the said electoral district of Bagot to the electoral district of Drummond and Arthabaska;



(h.) The parish of St. Nazaire, as municipally constituted, shall be included in the electoral district of Bagot, and that electoral district, as reconstituted, shall consist of the town of Acton, the village of Upton, and the parishes of St. André d'Acton, St. Ephrem d'Upton, Ste. Hélène, St. Hugues, St. Liboire, St. Pie, Ste. Rosalie, St. Simon, St. Théodore d'Acton, St. Dominique, St. Nazaire and Ste. Christine ;

(i.) The parishes of St. Guillaume d'Upton and St. Bonaventure d'Upton shall be transferred from the electoral district of Drummond and Arthabaska to the electoral district of Yamaska ; and that part of the parish of La Visitation de la Bienheureuse Vierge Marie which was detached from the parish of Ste. Monique in the county of Nicolet, and that part of the parish of St. Cyrille de Wendover annexed to the parish of St. Joachim de Courval, shall also be annexed to the electoral district of Yamaska ;

(j.) The parishes of Ste. Brigitte, Ste. Eulalie, Ste. Perpétue and St. Samuel shall be in and form part of the electoral district of Nicolet ;

(k.) The first twelve lots in the first three ranges of the township of Stanfold, which form part of the parish of Notre Dame de Lourdes, also the lots of the said township forming part of the municipality of Somerset south in the fourth, fifth, sixth and seventh ranges of the said township of Stanfold, are transferred from the electoral district of Drummond and Arthabaska to the electoral district of Megantic ;

(l.) The parish of Ste. Flore shall be transferred from the electoral district of Champlain to the electoral district of Three Rivers and St. Maurice ;

(m.) The electoral district of Wright shall consist of the townships of Aylwin, Aumond, Baskatong, Bouchette, Cameron, Denholm, Eardley, Egan, Hincks, Hull, Kensington, Low, Lytton, Maniwaki, Masham, Northfield, Sicotte, Templeton, Wakefield and Wright, together with the villages and other municipal subdivisions of the said townships, the city of Hull, the town of Aylmer, and all the unorganized territory bounded on the north-east by the county of Montcalm and on the east by a line formed by the production northwards of the eastern boundary line of the township of Baskatong ;

(n.) The electoral district of Labelle shall consist of the townships of Addington, Amherst, Bidwell, Bigelow, Blake, Bouthillier, Bowman, Boyer, Buckingham, Campbell, Clyde, Derry, Dudley, Gagnon, Gravel, Hartwell, Joly, Kiamika, Killaly, Labelle, Lathbury, Lesage, Lochaber, Loranger, La Minerve, Marchand, McGill, Montigny, Moreau, Mulgrave, Ponsonby, Pope, Portland (east and west), Preston, Ripon, Robertson, Rochon, Suffolk, Turgeon, Villeneuve, Wabasee, Wells and Wurtele, the town of Buckingham, the seigniorie of La Petite Nation, together with the villages and other municipal subdivisions of the said townships and seigniorie, and all the unorganized territory south of the townships of Kiamika and Montigny and also that bounded on the north-

east by the county of Montcalm and on the west by a line formed by the production northwards of the eastern boundary line of the township of Baskatong.

#### NOVA SCOTIA.

The electoral districts of Nova Scotia shall be constituted and represented as at present, with the following exceptions:—

(a.) The county of Pictou shall return one member instead of two as at present.

(b.) There shall be an electoral district consisting of the northern part of the county of Cape Breton and the county of Victoria, to be called the electoral district of North Cape Breton and Victoria, and to return one member. The said electoral district shall consist of the county of Victoria, the districts of Boisdale, Boularderie, East Bay (North), French Vale, George's River, Grand Narrows, and Little Bras d'Or, and the towns of North Sydney and Sydney Mines.

(c.) The southern part of the county of Cape Breton shall constitute an electoral district, to be called the electoral district of South Cape Breton, and shall return one member. The said electoral district shall consist of the districts of Balls Creek, Bateston, Big Pond, Bridgeport, Catalone, Dominion No. 1 and Reserve Mines, East Bay (South), Gabarus, Grand Mira, Hillside, Loch Lomond, Louisbourg, Main-à-Dieu, Port Morien, Sydney Forks, Trout Creek, Victoria Mines and Lingan, and the towns of Glace Bay, Louisbourg and Sydney.

#### NEW BRUNSWICK.

1. The city of St. John shall form an electoral district, to be called the electoral district of the city of St. John, and shall return one member.

2. The city of St. John and the county of St. John shall together form an electoral district, to be called the electoral district of the City and County of St. John, and shall return one member.

3. The county of Sunbury and the county of Queen's shall together form an electoral district, to be called the electoral district of Sunbury and Queen's, and shall return one member.

4. The county of King's and the county of Albert shall together form an electoral district, to be called the electoral district of King's and Albert, and shall return one member.

5. Each of the remaining counties of the province shall form an electoral district, and shall return one member.

#### PRINCE EDWARD ISLAND.

1. The county of King's shall form an electoral district, to be called the electoral district of King's, and shall return one member.

2. The county of Prince shall form an electoral district, to be called the electoral district of Prince, and shall return one member.

3. The county of Queen's shall form an electoral district, to be called the electoral district of Queen's, and shall return two members.

#### MANITOBA.

In the following descriptions, where "meridians between ranges" and "boundaries of townships" are referred to as the boundaries of electoral districts, these expressions mean the meridians and boundaries of townships in accordance with the Dominion lands system of surveys, and include the extension thereof in accordance with the said system.

There shall be in the province of Manitoba ten electoral districts, each of them to be represented by one member, as follows :—

1. The electoral district of Brandon, bounded as follows :—Commencing at the intersection of the western boundary of the province of Manitoba by the north boundary of the sixth township ; thence easterly along the north boundary of the sixth townships to the meridian between the sixteenth and seventeenth ranges west of the principal meridian ; thence northerly along the said meridian between the sixteenth and seventeenth ranges to the north boundary of the twelfth township ; thence westerly along the north boundary of the twelfth townships to the said western boundary of the province of Manitoba ; thence southerly along the said western boundary of the province of Manitoba to the point of commencement.

2. The electoral district of Dauphin, bounded as follows :—Commencing at the intersection of the western boundary of the province of Manitoba by the north boundary of the twenty-eighth township ; thence easterly along the north boundary of the twenty-eighth townships to the meridian between the twenty-fifth and twenty-sixth ranges, west of the principal meridian ; thence southerly along the said meridian to the north boundary of the twenty-second township ; thence easterly along the north boundary of the twenty-second townships to the meridian between the twenty-second and twenty-third ranges west of the principal meridian ; thence southerly along the said meridian between the twenty-second and twenty-third ranges to the north boundary of the twentieth township ; thence easterly along the north boundary of the twentieth townships to the meridian between the seventeenth and eighteenth ranges west of the principal meridian ; thence southerly along the said meridian between the seventeenth and eighteenth ranges to the north boundary of the eighteenth township ; thence easterly along the north boundary of the eighteenth township to the meridian between the sixteenth and seventeenth ranges west of the principal meridian ; thence southerly along the said meridian between the sixteenth and seventeenth ranges to the



the north boundary of the fifteenth township; thence easterly along the north boundary of the fifteenth townships to Lake Manitoba; thence in an easterly direction and along the southern shore of Lake Manitoba to where it is intersected by the north boundary of the seventeenth township in the fifth range west of the principal meridian; thence easterly along the said north boundary of the seventeenth township to the north boundary of the settlement of Oak Point; thence north-easterly along the said north boundary of the settlement of Oak Point to the north-east corner thereof; thence south-easterly along the east boundary of the said settlement to where it is intersected by the north boundary of the seventeenth township; thence easterly along the north boundary of the seventeenth townships to the principal meridian; thence northerly along the said principal meridian to the northern boundary of the province of Manitoba; thence westerly along the said northern boundary of the province of Manitoba to the north-west corner of the said province of Manitoba; thence southerly along the western boundary of the said province to the point of commencement.

3. The electoral district of Lisgar, bounded as follows:—Commencing at the intersection of the southern boundary of the province of Manitoba by the meridian between the twelfth and thirteenth ranges west of the principal meridian; thence northerly along the said meridian between the twelfth and thirteenth ranges to the north-east corner of section twelve in the third township, in the thirteenth range west of the principal meridian; thence easterly and along the north boundary of section seven in the third township in the twelfth range to the north-east corner of the said section seven; thence northerly along the east boundary of section eighteen, in the said third township in the twelfth range to the north-east corner of the south-east quarter of the said section eighteen; thence easterly along the north boundary of the south half of section seventeen and along the north boundary of the south half of section sixteen both in the said township in the twelfth range to the east boundary of the said section sixteen; thence northerly along the east boundary of section sixteen and along the east boundary of section twenty-one, both in the said third township in the twelfth range to the north-east corner of the said section twenty-one; thence easterly along the north boundary of section twenty-two, in the said third township in the twelfth range, to the north-east corner of the said section twenty-two; thence northerly along the east boundary of section twenty-seven and along the east boundary of section thirty-four, both in the said third township, in the twelfth range, and along the east boundary of section three in the fourth township in the twelfth range west of the principal meridian to the north-east corner of the said section three; thence easterly along the north boundary of section two, in the said fourth township, in the twelfth range, to the north-east corner of the said section two; thence northerly along the



east boundary of section eleven in the said fourth township in the twelfth range to the north-east corner of the said section eleven ; thence easterly along the north boundary of section twelve in the said fourth township in the twelfth range to the north-east corner of the north-west quarter of the said section twelve ; thence northerly along the east boundary of the west half of section thirteen and along the east boundary of the west halves of sections twenty-four and twenty-five, all in the said fourth township, in the twelfth range, to the north-west corner of the north-east quarters of the said section twenty-five ; thence easterly along the north boundary of the said north-east quarter of section twenty-five to the north-east corner of the said section twenty-five ; thence northerly along the meridian between the eleventh and twelfth ranges west of the principal meridian to the north boundary of the said fourth township ; thence easterly along the north boundary of the fourth townships to the meridian between the second and third ranges west of the principal meridian ; thence southerly along the said meridian between the second and third ranges to the north boundary of the third township ; thence easterly along the north boundary of the third townships to the said principal meridian ; thence southerly along the said principal meridian to the north boundary of the first township ; thence easterly along the north boundary of the first township to the meridian between the first and second ranges east of the principal meridian ; thence southerly along the said meridian between the first and second ranges east of the principal meridian to the southern boundary of the province of Manitoba ; thence westerly along the said southern boundary of the province of Manitoba to the point of commencement.

4. The electoral district of Macdonald, bounded as follows :—Commencing at the intersection of the meridian between the twelfth and thirteenth ranges west of the principal meridian by the north boundary of the fourth township ; thence northerly along the said meridian between the twelfth and thirteenth ranges to the north boundary of the ninth township ; thence easterly along the said north boundary of the ninth township to the meridian between the fifth and sixth ranges, west of the principal meridian ; thence northerly along the said meridian between the fifth and sixth ranges to the north bank of the Assiniboine River ; thence along the said north bank of the Assiniboine River up stream to where it is intersected by the line between lots 45 and 46 in the parish of High Bluff ; thence northerly along the said line between the said lots 45 and 46 to the north-west corner of the said lot 46 ; thence easterly along the north limit of the said lot 46 to the said meridian between the fifth and sixth ranges ; thence northerly along the said meridian between the fifth and sixth ranges to Lake Manitoba ; thence in an easterly and northerly direction along the southerly and easterly shore of Lake Manitoba to where it is intersected by the north boundary of the seventeenth township in the fifth range west of

the principal meridian ; thence easterly along the said north boundary of the seventeenth township to the north boundary of the settlement of Oak Point ; thence north-easterly along the said north boundary of the settlement of Oak Point to the north-east corner thereof ; thence south-easterly along the easterly boundary of the said settlement to where it is intersected by the north boundary of the seventeenth township ; thence easterly along the north boundary of the seventeenth townships to the principal meridian ; thence southerly along the principal meridian to the north boundary of the eleventh township ; thence easterly along the north boundary of the eleventh townships to the rear line of lots in the outer two miles of the parish of Kildonan on the west side of the Red River ; thence in a southerly direction along the said rear line to the north-west corner of the city of Winnipeg ; thence in a southerly direction and along the west limit of the said city of Winnipeg to the south-west corner thereof ; thence easterly along the south limits of the said city of Winnipeg to the rear line of lots in the parish of St. Boniface fronting on the west side of the Red River ; thence southerly along the said last mentioned rear line to the north limit of lots in the outer two miles of the parish of St. Vital ; thence south-westerly along the said north limit to the rear line of the said lots in the outer two miles of the parish of St. Vital ; thence in a southerly direction along the said last mentioned rear line and along the rear line of lots in the outer two miles in the parish of St. Norbert to the south limit of the said lots in the outer two miles of the parish of St. Norbert ; thence north-easterly along the said south limit to the rear line of lots fronting on the west side of the Red River in the said parish of St. Norbert ; thence in a southerly direction along the said last mentioned rear line and along the rear line of lots fronting on the west side of the Red River in the parish of Ste. Agathe to the north boundary of the sixth township ; thence westerly along the north boundary of the sixth townships to the meridian between the second and third ranges west of the principal meridian ; thence southerly along the said meridian between the second and third ranges to the north boundary of the fourth township ; thence westerly along the north boundary of the fourth township to the point of commencement.

5. The electoral district of Marquette, bounded as follows :—Commencing at the western boundary of the province of Manitoba where it is intersected by the north boundary of the twelfth township ; thence easterly along the north boundary of the twelfth townships to the meridian between the sixteenth and seventeenth ranges, west of the principal meridian ; thence northerly along the said meridian between the sixteenth and seventeenth ranges to the north boundary of the eighteenth township ; thence westerly along the said north boundary of the eighteenth township to the meridian between the seventeenth and eighteenth ranges, west of the principal meridian ; thence northerly along the said meridian between

the seventeenth and eighteenth ranges to the north boundary of the twentieth township; thence westerly along the north boundary of the twentieth townships to the meridian between the twenty-second and twenty-third ranges west of the principal meridian; thence northerly along the said meridian between the twenty-second and twenty-third ranges to the north boundary of the twenty-second township; thence westerly along the north boundary of the twenty-second township to the meridian between the twenty-fifth and twenty-sixth ranges, west of the principal meridian; thence northerly along the said meridian between the twenty-fifth and twenty-sixth ranges to the north boundary of the twenty-eighth township; thence westerly along the north boundary of the twenty-eighth township to the said western boundary of the province of Manitoba; thence southerly along the said western boundary of the province of Manitoba to the point of commencement.

6. The electoral district of Portage la Prairie, bounded as follows:—Commencing at the point where the meridian between the sixteenth and seventeenth ranges, west of the principal meridian, intersects the north boundary of the sixth township, thence easterly along the north boundary of the sixth townships to its intersection with the meridian between the twelfth and thirteenth ranges, west of the principal meridian; thence northerly along the meridian between the twelfth and thirteenth ranges to its intersection with the north boundary of the ninth township; thence easterly along the north boundary of the ninth townships to its intersection with the meridian between the fifth and sixth ranges west of the principal meridian; thence northerly along the said meridian between the fifth and sixth ranges to the north bank of the Assiniboine River; thence along the said north bank of the Assiniboine River up stream to where it is intersected by the line between lots forty-five and forty-six in the parish of High Bluff; thence northerly along the said line between the said lots forty-five and forty-six to the north-west corner of said lot forty-six; thence easterly along the north limit of said lot forty-six to the meridian between the said fifth and sixth ranges; thence northerly along said last mentioned meridian to its intersection with the southern shore of Lake Manitoba; thence south-westerly and north-westerly following the shore of Lake Manitoba to its point of intersection with the north boundary of the fifteenth township in the ninth range west of the principal meridian; thence westerly along the north boundary of the fifteenth townships to its intersection with the meridian between the sixteenth and seventeenth ranges, west of the principal meridian; thence southerly along said last mentioned meridian to the point of commencement.

7. The electoral district of Provencher, bounded as follows:—Commencing at the east boundary of the province of Manitoba where it is intersected by the north boundary of the ninth township, thence southerly along the said east boundary of the province of Manitoba to the south-east corner thereof;



thence westerly along the south boundary of the said province of Manitoba to where it is intersected by the meridian between the first and second ranges east of the principal meridian; thence northerly along the said meridian between the first and second ranges east of the principal meridian to the north boundary of the first township; thence westerly along the north boundary of the first township to the principal meridian; thence northerly along the principal meridian to the north boundary of the third township; thence westerly along the north boundary of the third townships to the meridian between the second and third ranges west of the principal meridian; thence northerly along the said meridian between the second and third ranges to the north boundary of the sixth township; thence easterly along the north boundary of the sixth townships to the rear line of lots fronting on the west side of the Red River in the parish of Ste. Agathe; thence in a northerly direction along the said rear line and along the rear line of lots in the parish of St. Norbert to the south limit of lots in the outer two miles of the said parish of St. Norbert; thence south-westerly along the said south limit to the rear line of the said lots in the outer two miles of the parish of St. Norbert; thence in a northerly direction along the said last mentioned rear line and along the rear line of lots in the outer two miles of the parish of St. Vital to the north limit of said lots in the outer two miles of the parish of St. Vital; thence north-easterly along the said last mentioned north limit to the rear line of lots fronting on the west side of the Red River in the parish of St. Boniface; thence northerly along the said last mentioned rear line to the south limit of the city of Winnipeg; thence north-easterly along the south limit of the city of Winnipeg to the Red River; thence along the Red River down stream to where it is intersected by the production in a straight line westerly of the line between lots 71 and 72 of the parish of St. Boniface; thence south-easterly along the said lines between lots 71 and 72 of the parish of St. Boniface to the rear line thereof; thence southerly along said last mentioned rear line to the south boundary of lot 75 of the said parish of St. Boniface; thence easterly along the south boundary of lot 75 in the outer two miles of the parish of St. Boniface and its production in a straight line easterly to the north boundary of the tenth township; thence easterly along the north boundary of the tenth township to where it is intersected by a line drawn due north from the north-east corner of the south-east quarter of section seven in the tenth township in the fourth range east of the principal meridian; thence south along the said due north line and along the east boundary of the said south-east quarter of the said section seven and along the east boundary of section six in the said tenth township to the north boundary of the ninth township; thence easterly along the north boundary of the ninth township to the point of commencement.



8. The electoral district of Selkirk, bounded as follows :— Commencing at the intersection of the principal meridian by the north boundary of the eleventh township; thence easterly along the north boundary of the eleventh townships to the rear line of lots in the outer two miles of the parish of Kildonan on the west side of the Red River; thence in the southerly direction and along the said rear line to the north-west corner of the city of Winnipeg; thence easterly along the north limit of the city of Winnipeg to the Red River; thence along the Red River up stream to where it is intersected by the production in a straight line westerly of the line between lots 71 and 72 in the parish of St. Boniface; thence south-easterly along the said line between lots 71 and 72 of the parish of St. Boniface to the rear line thereof; thence southerly along the rear line of lots in the parish of St. Boniface to the south boundary of lot 75 of the said parish of St. Boniface; thence easterly along the south boundary of lot 75 in the outer two miles of the parish of St. Boniface and its production in a straight line easterly to the north boundary of the tenth township; thence easterly along the north boundary of the tenth township to where it is intersected by a line drawn due north from the north-east corner of the south-east quarter of section 7 in the tenth township, in the fourth range east of the principal meridian; thence south along the said due north line and along the east boundary of the said south-east quarter of the said section 7 and along the east boundary of section 6 in the said tenth township in the fourth range east to the north boundary of the ninth township; thence easterly along the north boundary of the ninth township to the eastern boundary of the province of Manitoba; thence northerly along the said eastern boundary of the province of Manitoba to the north-east corner of the said province; thence westerly along the north boundary of the said province to where it is intersected by the extension northerly of the principal meridian; thence southerly along the said principal meridian to the point of commencement.

9. The electoral district of Souris, bounded as follows :— Commencing at the south-west corner of the province of Manitoba being the meridian between the 29th and 30th ranges, west of the principal meridian, at the point of its intersection by the international boundary; thence easterly following the international boundary line, being the south boundary of the province of Manitoba, to its intersection by the meridian between the 12th and 13th ranges, west of the principal meridian; thence northerly along the said meridian between the 12th and 13th ranges to the north-east corner of section 12 in the third township in the 13th range, west of the principal meridian; thence easterly and along the north boundary of section seven in the third township in the 12th range to the north-east corner of said section seven, thence northerly along the east boundary of section 18 in the said third township and twelfth range to the north-east corner of the south-east quarter

of said section 18, thence easterly along the north boundary of the south halves of sections 17 and 16 in the said third township in the 12th range to the east boundary of said section 16; thence northerly along the east boundary of said section 16 and along the east boundary of section 21, both in the said third township in the 12th range, to the north-east corner of said section 21; thence easterly along the north boundary of section 22 in the said third township and 12th range to the north-east corner of said section 22; thence northerly along the east boundaries of sections 27 and 34 in the said third township and 12th range, and along the east boundary of section three in the fourth township in the said 12th range, to the north-east corner of said section three; thence easterly along the north boundary of section two in the said fourth township to the north-east corner of said section two; thence northerly along the east boundary of section 11, in the said fourth township to the north-east corner of said section 11; thence easterly along the north boundary of section 12, in the said fourth township, to the north-east corner of the north-west quarter of said section 12; thence northerly along the east boundary of the west half of section 13 and along the east boundary of the west halves of sections 24 and 25 all in the said fourth township to the north-west corner of the north-east quarter of said section 25; thence easterly along the north boundary of the said north-east quarter of section 25 to the north-east corner of said section 25; thence northerly along the meridian between the 11th and 12th ranges, west of the principal meridian, to the north boundary of the said fourth township, thence from the point of intersection of the meridian between the said 11th and 12th ranges with the north boundary of the fourth township westerly along the north boundary of the said fourth township to its intersection by the meridian between the 12th and 13th ranges, west of the principal meridian; thence northerly along the said meridian between the 12th and 13th ranges to its intersection with the north boundary of township 6; thence westerly along the north boundary of township 6 to its intersection with the meridian between the 29th and 30th ranges, west of the principal meridian, being the west boundary of the province of Manitoba; thence following southerly along the said west boundary of the province of Manitoba to the point of commencement.

10. The electoral district of the city of Winnipeg, which shall continue to be constituted as at present.

#### BRITISH COLUMBIA.

The provincial electoral districts are those referred to in the Redistribution Act, 1902, being chapter 58 of the British Columbia statutes of that year.

There shall be seven electoral districts in the province of British Columbia, each of them to be represented by one member, as follows:—

1. The electoral district of Comox-Atlin, comprising the provincial electoral districts of Alberni, Atlin, Comox and Skeena, and all that portion of the provincial electoral district of Richmond bounded on the east by the east boundary of the provincial electoral district of Richmond from the north-east corner thereof southerly to the north-west corner of the provincial electoral district of Dewdney; thence in a straight line south-westerly to the mouth of the Squamish River at the head of Howe Sound; thence in a southerly direction along the easterly shore of Howe Sound to Burrard Inlet.

2. The electoral district of Kootenay, comprising the provincial electoral districts of Cranbrook, Columbia, Fernie, Kaslo, Nelson, Revelstoke, Rossland, Slocan and Ymir.

3. The electoral district of Nanaimo, comprising the provincial electoral districts of Cowichan, Esquimalt, Nanaimo City, Newcastle, Saanich and The Islands.

4. The electoral district of New Westminster, comprising the provincial electoral districts of Chilliwack, Delta, Dewdney and New Westminster City, all that portion of the provincial electoral district of Richmond lying south of Burrard Inlet excepting the municipality of South Vancouver, and all that portion of the provincial electoral district of Yale adjoining the provincial electoral district of Dewdney, and lying west of a line commencing at the north-east corner of the provincial electoral district of Chilliwack, thence following the Fraser River to a point one mile beyond the village of Yale, and thence following a straight line to the north-east corner of the provincial electoral district of Dewdney.

5. The electoral district of Vancouver City, comprising the provincial electoral district of Vancouver City, and the municipalities of South Vancouver and North Vancouver, and all that portion of the provincial electoral district of Richmond which lies east of the following described limit:—Commencing at the north-west corner of the provincial electoral district of Dewdney, thence in a straight line south-westerly to the mouth of the Squamish River at the head of Howe Sound, thence in a southerly direction along the easterly shore of Howe Sound to Burrard Inlet; thence in an easterly direction along the northerly shore of Burrard Inlet and in a northerly direction along the westerly shore of the North Arm of the said Burrard Inlet to the northern extremity of the said North Arm.

6. The electoral district of Victoria City, comprising the provincial electoral district of Victoria city.

7. The electoral district of Yale-Cariboo, comprising the provincial electoral districts of Cariboo, Greenwood, Grand Forks, Kamloops, Lillooet, Okanagan and Similkameen, and all that portion of Yale county not included by this Act in the electoral district of New Westminster.



## THE NORTH-WEST TERRITORIES.

In the following descriptions, where “meridians between ranges” and “boundaries of townships” are referred to as the boundaries of electoral districts, these expressions mean the meridians and boundaries of townships in accordance with the Dominion lands system of surveys, and include the extension thereof in accordance with the said system.

There shall be ten electoral districts in the North-west Territories, each of them to be represented by one member, as follows :

1. The electoral district of Alberta, bounded as follows :—Commencing at the south-east corner of the provisional district of Alberta ; thence westerly along the southern boundary of the said provisional district of Alberta to the south-west corner thereof ; thence northerly along the western boundary of the said provisional district of Alberta to where it is intersected by the north boundary of the seventeenth township ; thence easterly along the north boundary of the seventeenth townships to the eastern boundary of the provisional district of Alberta ; thence southerly along the said eastern boundary of the provisional district of Alberta to the point of commencement.

2. The electoral district of Assiniboia East, bounded as follows :—Commencing at the south-east corner of the provisional district of Assiniboia ; thence northerly along the eastern boundary of the said provisional district of Assiniboia to the north boundary of the twenty-fourth township ; thence westerly along the said north boundary of the twenty-fourth township to the meridian between the sixth and seventh ranges west of the second meridian ; thence southerly along the said meridian between the sixth and seventh ranges to the southern boundary of the provisional district of Assiniboia ; thence easterly along the said southern boundary of the provisional district of Assiniboia to the point of commencement.

3. The electoral district of Assiniboia West, bounded as follows :—Commencing at the southern boundary of the provisional district of Assiniboia where it is intersected by the meridian between the twenty-third and twenty-fourth ranges west of the second meridian ; thence northerly along the said meridian to the north boundary of the fourteenth township ; thence easterly along the north boundary of the fourteenth townships to the meridian between the sixteenth and seventeenth ranges west of the second meridian ; thence northerly along the said meridian between the sixteenth and seventeenth ranges to the north boundary of the twenty-fourth township ; thence westerly along the north boundary of the twenty-fourth townships to the South Saskatchewan River ; thence along the said South Saskatchewan River down stream to where it is intersected by the north boundary of the thirty-fourth township ; thence westerly along the north boundary of the thirty-fourth townships to the meridian between the twenty-fifth and twenty-sixth ranges west of the third meridian ; thence south-



erly along the said meridian between the twenty-fifth and twenty-sixth ranges to the South Saskatchewan River; thence along the said South Saskatchewan River up stream to its junction with the Red Deer River; thence along the said Red Deer River up stream to where it is intersected by the western boundary of the provisional district of Assiniboia; thence southerly along the said western boundary of the provisional district of Assiniboia to the southern boundary thereof; thence easterly along the said southern boundary to the point of commencement.

4. The electoral district of Calgary, bounded as follows :— Commencing at the intersection of the eastern boundary of the provisional district of Alberta by the north boundary of the seventeenth township; thence northerly along the said eastern boundary of the provisional district of Alberta to the Red Deer River; thence along the said Red Deer River down stream to its junction with the South Saskatchewan River; thence along the said South Saskatchewan River down stream to where it is intersected by the meridian between the twenty-fifth and twenty-sixth ranges west of the third meridian; thence northerly along the said meridian between the twenty-fifth and twenty-sixth ranges to the north boundary of the thirty-fourth township; thence westerly along the north boundary of the thirty-fourth townships to the western boundary of the provisional district of Alberta; thence in a southerly direction and along the said western boundary of the provisional district of Alberta to the north boundary of the seventeenth township; thence easterly along the north boundary of the seventeenth townships to the point of commencement.

5. The electoral district of Edmonton, bounded as follows :— Commencing at the meridian between the twenty-fifth and twenty-sixth ranges west of the third meridian where it is intersected by the north boundary of the fifty-second township; thence northerly along the said meridian between the twenty-fifth and twenty-sixth ranges to the northern boundary of the provisional district of Saskatchewan; thence westerly along the said northern boundary of the provisional district of Saskatchewan and along the northern boundary of the provisional district of Alberta to the western boundary of the said provisional district of Alberta; thence in a southerly direction and along the said western boundary of the provisional district of Alberta to where it is intersected by a line drawn due west from the source of the Brazeau River; thence east along the said line to the said source of the Brazeau River; thence along the Brazeau River down stream to the Saskatchewan River; thence along the Saskatchewan River down stream to where it is intersected by the north boundary of the fifty-second township; thence easterly along the north boundary of the fifty-second township to the point of commencement.

6. The electoral district of Humboldt, bounded as follows :— Commencing at the meridian between the twelfth and thir-

teenth ranges west of the second meridian where it is intersected by the north boundary of the twenty-fourth township; then westerly along the said north boundary of the twenty-fourth township to the South Saskatchewan River; thence along the said South Saskatchewan River down stream to where the said river is first intersected by the north boundary of the Indian Reserve Chief Musk-O-Day; thence westerly along the said north boundary of the Indian Reserve to where it is intersected by the meridian between the twenty-fourth and twenty-fifth ranges west of the second meridian; thence northerly along the said meridian between the twenty-fourth and twenty-fifth ranges to the northern boundary of the provisional district of Saskatchewan; thence easterly along the said northern boundary of the provisional district of Saskatchewan to where it is intersected by the meridian between the twelfth and thirteenth ranges west of the second meridian; thence southerly along the said meridian between the twelfth and thirteenth ranges to the point of commencement.

7. The electoral district of Mackenzie, bounded as follows:—Commencing at the intersection of the eastern boundary of the provisional district of Assiniboia by the north boundary of the twenty-fourth township; thence northerly along the said eastern boundary of the provisional district of Assiniboia, and along the eastern boundary of the provisional district of Saskatchewan to the north-west corner of the province of Manitoba; thence easterly along the northern boundary of the province of Manitoba to the eastern boundary of the provisional district of Saskatchewan; thence in a northerly direction along the said eastern boundary of the provisional district of Saskatchewan to the northern boundary thereof; thence westerly along the said northern boundary of the provisional district of Saskatchewan to the meridian between the twelfth and thirteenth ranges west of the second meridian; thence southerly along the said meridian between the twelfth and thirteenth ranges to the north boundary of the twenty-fourth township; thence easterly along the north boundary of the twenty-fourth townships to the point of commencement.

8. The electoral district of Qu'Appelle, bounded as follows:—Commencing at the intersection of the southern boundary of the provisional district of Assiniboia by the meridian between the sixth and seventh ranges west of the second meridian; thence northerly along the said meridian between the sixth and seventh ranges to the north boundary of the twenty-fourth township; thence westerly along the north boundary of the twenty-fourth townships to the meridian between the sixteenth and seventeenth ranges west of the second meridian; thence southerly along the said meridian between the sixteenth and seventeenth ranges to the north boundary of the fourteenth township; thence westerly along the north boundary of the fourteenth townships to the meridian between the twenty-third and twenty-fourth ranges west of the second meridian;

meridian; thence southerly along the said meridian between the twenty-third and twenty-fourth ranges to the southern boundary of the provisional district of Assiniboia; thence easterly along the said southern boundary of the provisional district of Assiniboia to the point of commencement.

9. The electoral district of Saskatchewan, bounded as follows:—Commencing at the meridian between the twenty-fifth and twenty-sixth ranges west of the third meridian where it is intersected by the north boundary of the thirty-fourth township; thence easterly along the north boundary of the thirty-fourth townships to the South Saskatchewan River; thence along the said South Saskatchewan River down stream to where the said river is first intersected by the north boundary of the Indian Reserve, Chief Musk-O-Day; thence westerly along the said north boundary of the Indian Reserve to where it is intersected by the meridian between the twenty-fourth and twenty-fifth ranges west of the second meridian; thence northerly along the said meridian between the twenty-fourth and twenty-fifth ranges to the northern boundary of the provisional district of Saskatchewan; thence westerly along the said northern boundary of the provisional district of Saskatchewan to where it is intersected by the meridian between the twenty-fifth and twenty-sixth ranges west of the third meridian; thence southerly along the said meridian between the twenty-fifth and twenty-sixth ranges to the point of commencement.

10. The electoral district of Strathcona, bounded as follows:—Commencing at the meridian between the twenty-fifth and twenty-sixth ranges west of the third meridian where it is intersected by the north boundary of the thirty-fourth township; thence westerly along the north boundary of the thirty-fourth townships to the western boundary of the provisional district of Alberta; thence in a northerly direction and along the said western boundary of the provisional district of Alberta to where it is intersected by a line drawn due west from the source of the Brazeau River; thence east along the said line to the said source of the Brazeau River; thence along the Brazeau River down stream to the Saskatchewan River; thence along the said Saskatchewan River down stream to where it is intersected by the north boundary of the fifty-second township; thence easterly along the north boundary of the fifty-second townships to the meridian between the twenty-fifth and twenty-sixth ranges west of the third meridian; thence southerly along the said meridian between the twenty-fifth and twenty-sixth ranges to the point of commencement.







## 3 EDWARD VII.

### CHAP. 61.

An Act respecting the Revised Statutes of Canada.

[Assented to 24th October, 1903.]

**W**HEREAS it has been found expedient to revise, classify Preamble.  
and consolidate the public general statutes of Canada  
passed since the date of the Revised Statutes of Canada of  
1886; and whereas such revision, classification and consolida-  
tion are being made by Commissioners appointed by a certain  
commission under the Great Seal of Canada bearing date the  
21st day of November, 1902; and whereas it is expedient to  
provide for the incorporation therewith of the public general  
statutes passed during the present session and subsequent  
thereto and for giving the force of law to the body of the  
Revised Statutes to result from such incorporation: Therefore  
His Majesty, by and with the advice and consent of the Senate  
and House of Commons of Canada, enacts as follows:—

**1.** So soon as the said Commissioners or a majority of them  
shall report in writing the completion of the said consolidation,  
including therein such Acts or parts of Acts passed during the  
present session and subsequent thereto as the Governor  
General may deem advisable to be so included, the Governor  
General may cause a printed Roll thereof, attested under his  
signature and that of the Clerk of the Parliaments to be  
deposited in the office of such Clerk; and such Roll shall be  
held to be the original of the said statutes so revised, classi-  
fied and consolidated.

Certified roll  
to be deposited  
with Clerk of  
the Parlia-  
ments.

To be deemed  
the original.

**2.** There shall be appended to the said Roll a Schedule A  
similar in form to Schedule A appended to the Revised  
Statutes of Canada of 1886; and the Commissioners may  
include in the said Schedule all Acts and parts of Acts which,  
though not expressly repealed, were superseded by the Acts  
so consolidated, or are inconsistent therewith, and all parts of  
such Acts which were for a temporary purpose, the force of  
which is spent.

Schedule of  
repealed  
enactments.

Powers of Commissioners as to alterations.

**3.** The said Commissioners in consolidating the said statutes and in incorporating therewith the Acts or parts of Acts passed subsequent thereto and selected for inclusion therein as above provided may make such alterations in their language as are requisite in order to preserve a uniform mode of expression, and may make such minor amendments as are necessary to bring out more clearly what they deem to be the intention of Parliament or to reconcile seemingly inconsistent enactments or to correct clerical or typographical errors.

Marginal notes, references, etc.

2. The marginal notes thereon, the reference to former enactments at the foot of the sections, and the explanatory notes and tables inserted by the Commissioners, shall form no part of the said statutes, and shall be held to have been inserted for convenience only, and may be corrected or omitted.

Proclamation declaring statutes in force.

**4.** The Governor in Council, after such deposit of the said last mentioned Roll, may, by proclamation, declare the day on, from and after which the same shall come into force and have effect as law, by the designation of "The Revised Statutes of Canada, 190 ."

Effect of proclamation.

**5.** On, from and after such day, the same shall accordingly come into force and effect as and by the designation of "The Revised Statutes of Canada, 190 ," to all intents, as if the same were expressly embodied in and enacted by this Act, to come into force and have effect on, from and after such day :

Repeal of enactments in schedule A.

2. On, from and after such day, all the enactments in the several Acts and parts of Acts in such Schedule A mentioned shall stand and be repealed to the extent mentioned in the third column of the said Schedule A.

Repeal not to revive dead law, nor to be retroactive.

**6.** The repeal of the said Acts and parts of Acts shall not revive any Act or provision of law repealed by them ; nor shall the said repeal prevent the effect of any saving clause in the said Acts and parts of Acts, or the application of any of the said Acts or parts of Acts, or of any Act or provision of law formerly in force, to any transaction, matter or thing anterior to the said repeal, to which they would otherwise apply.

As to anterior matters.

**7.** The repeal of the said Acts and parts of Acts shall not affect—

(a.) any penalty, forfeiture or liability, civil or criminal, incurred before the time of such repeal, or any proceedings for enforcing the same, had, done, completed or pending at the time of such repeal ;

(b.) any indictment, information, conviction, sentence or prosecution had, done, completed or pending at the time of such repeal ;

(c.) any action, suit, judgment, decree, certificate, execution, process, order, rule, or any proceeding, matter or thing whatsoever respecting the same, had, done, made, entered,

granted, completed, pending, existing or in force at the time of such repeal;

(d.) any act, deed, right, title, interest, grant, assurance, descent, will, registry, by-law, rule, order in council, proclamation, regulation, contract, lien, charge, status, capacity, immunity, matter or thing, had, done, made, acquired, established or existing at the time of such repeal; or—

(e.) any office, appointment, commission, salary, allowance, security or duty, or any matter or thing appertaining thereto, at the time of such repeal:

2. Such repeal shall not defeat, disturb, invalidate or prejudicially affect any other matter or thing whatsoever, had, done, completed, existing or pending at the time of such repeal:

3. But every such—

(a.) penalty, forfeiture and liability,

Such matters  
remain valid.

(b.) indictment, information, conviction, sentence and prosecution,

(c.) action, suit, judgment, decree, certificate, execution, process, order, rule, proceeding, matter or thing,

(d.) act, deed, right, title, interest, grant, assurance, descent, will, registry, by-law, rule, order in council, proclamation, regulation, contract, lien, charge, status, capacity, immunity, matter or thing,

(e.) office, appointment, commission, salary, allowance, security and duty, and—

(f.) matter and thing,

may and shall remain and continue as if no such repeal had taken place, and, so far as necessary, may and shall be continued, prosecuted, enforced and proceeded with under the said Revised Statutes, and other the statutes and laws having force in Canada, and subject to the provisions of the said several statutes and laws, as if no such repeal had taken place.

Continuance  
thereof under  
Revised  
Statutes.

8. The said Revised Statutes shall not be held to operate as new laws, but shall be construed and have effect as a consolidation and as declaratory of the law as contained in the said Acts and parts of Acts so repealed, and for which the said Revised Statutes are substituted:

Revised  
Statutes not  
to be deemed  
new laws.

2. But if upon any point the provisions of the said Revised Statutes are not in effect the same as those of the repealed Acts and parts of Acts for which they are substituted, then, as respects all transactions, matters and things subsequent to the time when the said Revised Statutes take effect, the provisions contained in them shall prevail, but, as respects all transactions, matters and things anterior to the said time, the provisions of the said repealed Acts and parts of Acts shall prevail.

Construction  
where they  
differ from  
repealed  
enactments.

9. Any reference in any former Act remaining in force, or in any proclamation, order in council, instrument or document

As to  
references to  
repealed Acts  
to

in former  
Acts, etc.

to any Act or enactment so repealed, shall, after the said Revised Statutes take effect, be held, as regards any subsequent transaction, matter or thing, to be a reference to the enactments in the said Revised Statutes, having the same effect as such repealed Act or enactment.

As to effect  
of insertion of  
an Act in  
Schedule A.

**10.** The insertion of any Act in the said Schedule A shall not be considered as a declaration that such Act or any part of it was or was not in force immediately before the coming into force of the said Revised Statutes.

Copies by  
King's Printer  
to be evidence.

**11.** Copies of the said Revised Statutes, purporting to be printed by the King's Printer from the amended Roll so deposited, shall be evidence of the said Revised Statutes in all courts and places whatsoever.

Distribution  
of Revised  
Statutes.

**12.** The laws relating to the distribution of the printed copies of the statutes shall not apply to the said Revised Statutes, but the same shall be distributed in such numbers and to such persons only as the Governor in Council directs.

Printing and  
construction  
of this Act.

**13.** This Act shall be printed with the said Revised Statutes, and shall be subject to the same rules of construction as the said Revised Statutes.

Citation of  
Revised  
Statutes.

**14.** Any chapter of the said Revised Statutes may be cited and referred to in any Act or proceeding whatsoever, either by its title as an Act, or by its short title, or by using the expression "The Revised Statute respecting—" adding the remainder of the title given at the beginning of the particular chapter, or by using the expression "The Revised Statutes, 190 " or "The Revised Statutes of Canada, 190, chapter  
," adding the number of the particular chapter in the copies printed by the King's Printer.





## 3 EDWARD VII.

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### CHAP. 62.

#### An Act respecting Government and Post Office Savings Banks.

[Assented to 13th August, 1903.]

**H**IS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** The Minister of Finance and Receiver General shall hold, Reserve against deposits for the purpose of securing the repayment of deposits made in the Government Savings Banks and in the Post Office Savings Banks, an amount in gold, or in gold and Canada securities guaranteed by the Government of the United Kingdom, equal to not less than ten per cent of the total amount of such deposits as such amount is ascertained from time to time.

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OTTAWA: Printed by SAMUEL EDWARD DAWSON, Law Printer to the King's most Excellent Majesty.





## 3 EDWARD VII.

### CHAP. 63.

#### An Act to amend the Act respecting the Safety of Ships.

[Assented to 13th August, 1903.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Subsection 1 of section 7 of chapter 77 of the Revised Statutes, intituled *An Act respecting the Safety of Ships and the prevention of accidents on board thereof*, as enacted by section 1 of chapter 34 of the statutes of 1901, is repealed and the following is substituted therefor:—

R.S.C., c. 77,  
s. 7 amended.

"7. No master of any sailing ship, when sailing on or after the first day of October, or before the sixteenth day of March in any year, and no master of any steamship when sailing after the twelfth day of October, or before the sixteenth day of March in any year, on a voyage from any port or place in Canada to any port or place in the United Kingdom, or in the continent of Europe north of Cape Finisterre in Spain, not being a port or place within the Mediterranean Sea, and during the voyage while within Canadian jurisdiction, shall place, or cause or permit to be placed or to remain upon, any uncovered space upon the upper deck or in any covered space not included in the cubical contents forming the registered tonnage of such ship,—

Certain lading  
not to be  
placed on deck  
in winter.

"(a.) any square, round, waney or other timber, or any pitch pine, oak or elm planks, or any other heavy wood goods whatever;

Timber, etc.

"(b.) any more than five spare spars, or store spars made, dressed and finally prepared for use, or not so dressed and prepared;

Spars.

"(c.) any deals, battens or other light wood goods of any description to a height exceeding three feet above the deck:

Light wood  
goods.

"Provided always, that if the master of any such ship considers that it is necessary, in consequence of the springing of a leak, or of other damage received or apprehended during the

Proviso: in  
case of leak  
or damage  
to ship.

voyage, he may place and keep on any uncovered space upon the upper deck, or in any covered space not included in the cubical contents forming the registered tonnage of such ship, any goods forming part of the cargo of such ship, and permit them to remain there for such time as he considers expedient.”

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most Excellent Majesty.





## 3 EDWARD VII.

### CHAP. 64.

An Act to amend the Shipping Casualties Act, 1901.

[Assented to 24th October, 1903.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Section 3 of *The Shipping Casualties Act*, 1901, is hereby amended by inserting the word “stranded” after the word “abandoned” in the first line of paragraph (a.), and by inserting the word “stranding” after the word “abandonment” in the first line of paragraph (d.)

2. Section 8 of the said Act is repealed, and the following is substituted therefor:—

“8. The Minister may appoint any officer of the Government of Canada, or any judge of the Superior Court of the province of Quebec, or any judge of a county court, or any local judge in Admiralty of the Exchequer Court of Canada, or any stipendiary magistrate, to be a commissioner to hold formal investigations, and a commissioner shall for such purpose be a court.

“2. A court appointed as aforesaid is authorized to hold a formal investigation in the following cases, viz.:—

“(a.) a shipping casualty;

“(b.) where a master, mate, or engineer has been charged with incompetency, misconduct, or default while serving as an officer of any British ship on or near the coasts of Canada, or on or near any of the inland waters of Canada, or in the course of a voyage to a port in Canada;

“(c.) where the incompetency, misconduct, or default has occurred while serving as an officer on a British ship registered in Canada;

“(d.) where a master, mate, or engineer who is charged with incompetency, misconduct, or default while serving on board a British ship is found in Canada;

“(e.) where in a case of collision the master or certificated officer in charge of a vessel fails without reasonable cause to

render to the other vessel, her master, crew and passengers such assistance as is practicable and necessary to save them from any danger caused by the collision, and to stay by the other vessel until he has ascertained that she has no need of further assistance, and also to give to the master or person in charge of the other vessel the name of his own vessel and of the port to which she belongs, and also the names of the ports from which she comes and to which she is bound :

"Provided, however, that no formal investigation of any case shall be held until it has been ordered by the Minister."

New sections  
12, 15, 17, 21.

Duty of the  
applicant.

In certain  
case accused  
entitled to  
statement.

Cancelled or  
suspended  
certificates to  
be delivered  
to court.

Penalty.

Power of  
court as to  
certificates.

Proviso: as to  
concurrence  
of assessors.

Holder of  
certificate  
entitled to  
statement.

**3.** Sections 12, 15, 17 and 21 of the said Act are repealed, and the following are substituted therefor :—

"**12.** When the Minister at the request of any person orders a formal investigation, it shall be the duty of such person to render such assistance to the court as is in his power.

"**15.** Whenever a formal investigation is likely to involve a question as to cancelling or suspending a certificate of competency or service of any master, mate, or engineer, he shall be furnished with a copy of the report or statement of the case upon which the investigation has been ordered.

"**17.** A master, mate, or engineer whose certificate is cancelled or suspended shall deliver his certificate to the court on demand ; and if any master, mate, or engineer fails to deliver his certificate when so required, he shall incur a penalty not exceeding two hundred dollars, and such penalty may be recovered with costs in the name of His Majesty in a summary manner under the provisions of Part LVIII. of *The Criminal Code*, 1892.

"**21.** The certificate of a master, mate, or engineer may be cancelled or suspended by a court holding a formal investigation, if the court finds that any loss, or damage, or the abandonment or stranding of any ship, or any loss of life has been caused by the wrongful act or default of such master, mate, or engineer, or if it finds that any master, mate, or engineer is incompetent, or has been guilty of any gross act of misconduct, drunkenness, or tyranny, or that in a case of collision he has failed to render the assistance or to give the information required by law: Provided that in the case of a shipping casualty the court shall not cancel or suspend a certificate unless one at least of the assessors concurs in the finding of the court."

"**2.** A certificate shall not be cancelled or suspended by a court under this section unless a copy of the report or a statement of the case upon which the formal investigation has been ordered, has been furnished to the holder of the certificate and he has had an opportunity of making a defence."



## 3 EDWARD VII.

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### CHAP. 65.

An Act to amend the Act respecting the publication of the statutes.

[Assented to 25th June, 1903.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

1. Section 5 of the *Act respecting the publication of the statutes*, chapter 2 of the Revised Statutes, is repealed, and the following is substituted therefor :—

“5. The Clerk of the Parliaments shall also furnish certified copies of any of the Acts above mentioned to any person applying therefor, and upon every such certified copy shall, before delivering it, receive from such person a fee of two dollars in addition to the cost of the printed copy, if a printed copy is furnished, or in addition to a fee of ten cents for every hundred words in such copy if the copy furnished is not printed.”

R.S.C., c. 2,  
new s. 5.

Certified  
copies of Acts  
to be furnished  
on payment  
of fee.

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## 3 EDWARD VII.

### CHAP. 65.

An Act to amend the Steamboat Inspection Act, 1898.

[Assented to 13th August, 1903.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Section 3 of *The Steamboat Inspection Act*, 1898, is 1898, c. 46 repealed and the following is substituted therefor:—  
new s. 3.

#### “EXTENT AND APPLICATION OF ACT.

“3. No steam yacht used exclusively for pleasure or private use without hire or remuneration of any kind, no tug boat, no freight boat under one hundred and fifty tons gross tonnage, no steamboat used exclusively for fishing purposes and under one hundred and fifty tons gross tonnage, and no steam dredge or floating elevator or vessel of like kind shall be subject to the requirements of this Act, except as regards the yearly rate or duty, if any such rate or duty is imposed, and the inspection of their boilers and machinery—to which inspection they shall be subject at least once in each year and oftener if required—under the same provisions and penalties for neglect as other steamboats, and except also as to the obligation to carry one life-buoy and take the precautions against fire hereafter imposed upon all steamboats, and to carry a life preserver for each person on board; and no steam yacht used exclusively for pleasure or private use without hire or remuneration of any kind, of three ton gross tonnage and under, and no vessel propelled by gas, fluid, naphtha or electric motors, shall be subject to any of the provisions of this Act: provided however, that if any such steam yacht or any such vessel propelled by gas, fluid, naphtha or electric motors is over three tons gross tonnage, the obligation to carry one life buoy and to take the precaution against fire and to carry a life preserver for each person on board, hereinafter imposed upon all steamboats, shall be imposed: provided always that if any vessel mentioned in this

Certain vessels exempt except in certain particulars.

Certain vessels entirely exempt.

Proviso.

Proviso.

this subsection carries passengers for hire or remuneration of any kind, such vessel shall be deemed to be a passenger steamboat for the time being, and shall be subject to all the provisions of this Act.

H.M. vessels. "2. This Act shall not apply to steamboats belonging to His Majesty.

Application to vessels not registered in Canada. "3. The Governor in Council may direct that this Act or certain provisions thereof shall apply to, or shall not apply to, any steamboat or class of steamboats registered elsewhere than in Canada, and may fix a rate or duty to be paid for the inspection of such steamboat or class of steamboats :—

Inspection fees. "(a.) Provided, however, that when satisfactory evidence has been produced that no steamboat inspection fee or tax is levied on Canadian steam vessels trading to or from any country outside of Canada, the Governor in Council may direct that no steamboat inspection fee or tax be levied on steam vessels of such country going to and from Canada ;

Inspection. "(b.) Provided further, that when satisfactory evidence has been produced that any country outside of Canada has steamboat inspection laws approximating the steamboat inspection law of Canada, and the steamboats of such country have unexpired certificates of inspection issued by the proper authorities of such country, the Governor in Council may direct that they shall be subject to no other inspection than may be necessary to satisfy the Canadian inspectors that the condition of the steamboat, her boilers, machinery and life-saving equipment are as stated in the current certificate of inspection ; but no such certificate of inspection shall be accepted as valid in Canada, except when held by steamboats of a country which has by its laws accorded to the steamboats of Canada going to and from that country the same privilege as is hereby accorded to steamboats of that country."

New s. 37. "2. Section 37 of the said Act is repealed and the following is substituted therefor :—

Annual tonnage duty. "37. The Governor in Council may fix a rate or duty to be paid yearly and every year by the owner or master of every steamboat registered in Canada, not exceeding ten cents for every gross ton which such steamboat measures.

Calculation of tonnage. "2. Every ton of the gross tonnage of a steamboat shall, for the purposes of this section, be reckoned, and no allowance or deduction shall be made for the space occupied by the engine-room.

Payment and disposal of duties. "3. The amount of such rate or duty shall, in each case, be paid to and received by the chief officer of customs, at some one of the ports in Canada, who shall, at such times and in such manner as the Governor in Council, from time to time, directs, account for and pay over the same to the Minister of Finance and Receiver General, to form part of the Consolidated Revenue Fund of Canada."

3. Section 38 of the said Act is amended by inserting after the word "duty" in the third line the words "if any such rate or duty is." Section 38 amended.

4. Section 39 of the said Act is amended by inserting after the word "Act" in the fifth line the words "if any such rate or duty is payable." Section 39 amended.

5. Subsections 2 and 3 of section 43 are repealed and the following are substituted therefor:— Section 43 amended.

"2. The Governor in Council may establish an inspection fee to be paid to the inspector before he issues his certificate of inspection, who shall pay over the same to the Minister of Finance and Receiver General in such manner and at such times as the Governor in Council may direct, to form part of the Consolidated Revenue Fund of Canada. Inspection fee.

"3. Before a certificate is issued to such vessel the inspector shall see that she is equipped throughout in conformity with the requirements of this Act and of the regulations made thereunder, and has suitable means for steering, an anchor and chain, and a substantial tow-line of suitable length; and such certificate shall state the period of time for which it is valid." Requirements for certificate.  
Duration

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## 3 EDWARD VII.

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### CHAP. 67.

An Act further to amend the Steamboat Inspection Act, 1898.

[Assented to 24th October, 1903.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

1. Subsection 1 of section 27 of *The Steamboat Inspection Act*, 1898, is hereby amended by adding, at the end thereof, the following words :—

“Provided, however, that in any case where oil is used as fuel for the production of motive power on steamboats, oil which will bear a test of two hundred degrees Fahrenheit without taking fire may be accepted if properly stored with safe and suitable provisions as to safety and to guard against fire and explosion from such oil to the satisfaction of the steamboat inspector.”

1898, c. 46,  
s. 27 amended.

Fire test for  
oil used as  
fuel.

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## 3 EDWARD VII.

### CHAP. 68.

An Act to amend chapter 8 of the statutes of 1899 respecting the Bounties on Steel and Iron, and to provide for the payment of bounties on certain articles manufactured from steel.

[Assented to 24th October, 1903.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

1. The Governor in Council may authorize the payment of the following bounties on the undermentioned articles manufactured in Canada from steel produced in Canada from ingredients of which not less than fifty per cent of the weight thereof consists of pig iron made in Canada, viz. :—

Bounties for  
production in  
Canada of—

(a.) on rolled, round wire rods not over three-eighths of an inch in diameter, when sold to wire manufacturers for use in making wire in their own factories in Canada, a bounty of six dollars per ton ;

Wire rods,

(b.) on rolled angles, tees, channels, beams, joists, girders, or bridge building or structural rolled sections, and on other rolled shapes not round, oval, square or flat, weighing not less than thirty-five pounds per lineal yard, and also on flat eye-bar blanks, when sold for consumption in Canada, a bounty of three dollars per ton ;

Other rolled  
shapes,

(c.) on rolled plates not less than thirty inches in width and not less than one-quarter of an inch in thickness, when sold for consumption in Canada for manufacturing purposes for which such plates are usually required,—not including plates to be sheared into plates of less width,—a bounty of three dollars per ton.

And rolled  
plates.

2. The Governor in Council may make regulations to carry out the intentions of this section.

Regulations.

2. Chapter 8 of the statutes of 1899, is so amended as to provide that the bounties on steel and iron authorized by chapter 6 of the statutes of 1897, shall be continued until the

Bounties  
continued to  
June 30, 1907.

thirtieth day of June, one thousand nine hundred and seven, and that the rate of such bounties shall be as follows:—

First year.

(a.) from the first day of July, one thousand nine hundred and three, to the thirtieth day of June, one thousand nine hundred and four, both inclusive, the bounties shall be ninety per cent of the amount fixed by the said chapter 6 of the statutes of 1897;

Second year.

(b.) from the first day of July, one thousand nine hundred and four, to the thirtieth day of June, one thousand nine hundred and five, both inclusive, the bounties shall be seventy-five per cent of the amount fixed by the said chapter;

Third year.

(c.) from the first day of July, one thousand nine hundred and five, to the thirtieth day of June, one thousand nine hundred and six, both inclusive, the bounties shall be fifty-five per cent of the amount fixed by the said chapter;

Fourth year.

(d.) from the first day of July, one thousand nine hundred and six, to the thirtieth day of June, one thousand nine hundred and seven, both inclusive, the bounties shall be thirty-five per cent of the amount fixed by the said chapter.

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most Excellent Majesty.





## 3 EDWARD VII.

### CHAP. 69.

#### An Act respecting the Registrar of the Supreme Court.

[Assented to 24th October, 1903.]

**I**N amendment of the Act respecting the Supreme Court, R.S.C., c. 135. chapter 135 of the Revised Statutes, His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

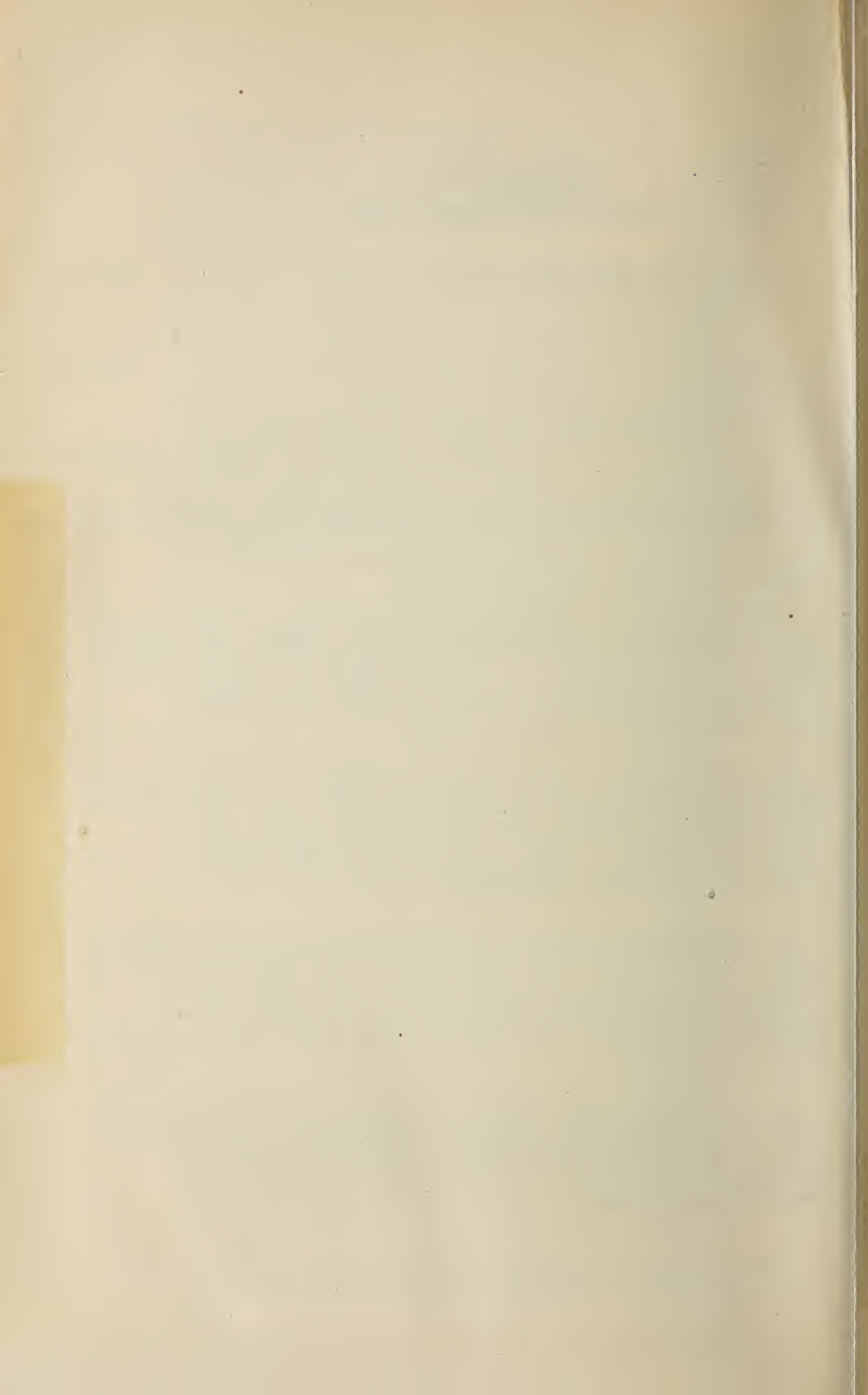
- 1.** The Registrar of the Supreme Court of Canada shall have the rank of a Deputy Head of a department, and his salary shall be three thousand five hundred dollars per annum, with an annual increase of one hundred dollars, up to a maximum of four thousand dollars per annum.

Rank and salary of registrar.
- 2.** For the purpose of determining the salary of the officer at present occupying the said position, he shall be credited with his period of service, and shall hereafter be paid such salary as he would by length of service have become entitled to had the provision of the next preceding section been in force at the time of his appointment.

Salary of present registrar.
- 3.** The Registrar shall, subject to the direction of the Minister of Justice, oversee and direct the officers, clerks and employees appointed to the Supreme Court. He shall give his full time to the public service, and shall not receive any pay, fee or allowance in any form in excess of the amount provided in this Act.

Officers and clerks under him.  
Duties.  
No extra pay.
- 4.** The provisions with respect to his salary and the receipt of any pay, fee or allowance contained in the preceding sections shall not apply to the present Registrar until the conclusion of his engagement as one of the Commissioners for the revision of the Statutes of Canada.

Exception as to present registrar.





## 3 EDWARD VII.

### CHAP. 70.

An Act to assist in establishing and maintaining an independent and efficient service of telegraphic news from Great Britain for publication in the Canadian press.

*[Assented to 24th October, 1903.]*

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

1. The Governor in Council may authorize the payment of the following sums in the respective fiscal years mentioned for the purpose of assisting in establishing and maintaining an independent and efficient service of telegraphic news from Great Britain for publication in the Canadian press :—

Grant for  
British cable  
service for  
Canadian  
press.

(a.) For the fiscal year 1903-4, a sum not exceeding fifteen thousand dollars ; or at the rate of fifteen thousand dollars per annum for any period less than a year ;

(b.) For the fiscal year 1904-5, a sum not exceeding fifteen thousand dollars ;

(c.) For the fiscal year 1905-6, a sum not exceeding fifteen thousand dollars ;

(d.) For the fiscal year 1906-7, a sum not exceeding ten thousand dollars ;

(e.) For the fiscal year 1907-8, a sum not exceeding five thousand dollars.

2. The said sums may be paid, at such times and in such manner as the Minister of Finance determines, to any association or committee representing the proprietors of such newspapers as associate themselves for the purpose of establishing and maintaining such service : Provided, however, that no payment shall be made under the authority of this Act until the Minister of Finance has satisfied himself that the benefits of the service are open, on fair and reasonable terms, to all newspapers published in Canada, and that not less than one-

Mode of  
payment.

Service to be  
open to all  
newspapers,  
and one-half  
cost to be paid  
by those  
benefiting.

half of the cost of establishing and maintaining the service is paid by the proprietors of the newspapers participating in the benefits thereof.

Regulations.      3. The Governor in Council may make regulations for carrying out the purposes of this Act.

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## 3 EDWARD VII.

### CHAP. 71.

#### An Act respecting the construction of a National Transcontinental Railway.

[Assented to 24th October, 1903.]

**W**HEREAS, by reason of the growth in population and the Preamble.  
rapid development in the productiveness and trade of Canada and especially of the western part thereof, and with a view to the opening up of new territory available for settlement, both in the Eastern Provinces and in the West, and the affording of transportation facilities for such territory, and for other reasons, the necessity has arisen for the construction of a National Transcontinental Railway, to be operated as a common railway highway across the Dominion of Canada, from ocean to ocean and wholly within Canadian territory; and whereas an agreement has been entered into, bearing date the 29th day of July, 1903, between His Majesty the King, of the first part, and Sir Charles Rivers Wilson, G.C.M.G., C.B., and others, representing therein and acting on behalf of the Grand Trunk Pacific Railway Company, a company incorporated by an Act of the Parliament of Canada passed at the present session thereof, of the second part, making provision for the construction and operation of such a railway; and whereas it is expedient that Parliament should ratify and confirm the said agreement, and should grant authority for the construction in manner hereinafter provided of the Eastern Division of the said railway between the city of Moncton, in the province of New Brunswick, and the city of Winnipeg, in the province of Manitoba: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. This Act may be cited as *The National Transcontinental Railway Act*. Short title.

2. The agreement a copy of which forms the schedule to this Act, (hereinafter called "the Agreement") is hereby ratified and confirmed and declared to be legally binding upon His Majesty and the Grand Trunk Pacific Railway Company, Agreement in schedule confirmed.

(hereinafter called the Company), subject to the provisions of this Act; and His Majesty and the Company are hereby authorized and empowered to do whatever is necessary in order to give full effect to the agreement and to the provisions of this Act.

Validity of mortgages.

3. The mortgages to be given by the Company pursuant to the provisions of the Agreement shall, when so given, be valid and operative according to their respective terms as provided by the Agreement.

Form of securities, etc.

4. The form of the bonds or other securities to be guaranteed by the Government pursuant to the Agreement, and of the respective mortgages securing them, and the form and manner of the guarantees to be given, shall be subject to the approval of the Governor in Council.

Signature of guarantee.

5. The said guarantee may be signed by the Minister of Finance and Receiver General, or by such officer as is from time to time designated by the Governor in Council to sign it; and when the guarantee is so signed the Government shall be liable as guarantors for the payment of the principal and the interest of the bonds so guaranteed, according to the terms of such guarantee; and the payment thereof shall form a charge on the Consolidated Revenue Fund of Canada.

Rights of Government as to securities.

6. Any moneys paid by the Government of Canada, whether for principal or interest, under any of the guarantees hereby authorized (except moneys paid by the Government for interest which according to the terms of the Agreement, the Government has agreed itself to pay), shall be deemed to be paid in discharge of the liability of the Government, but not in discharge of the liability of the Company, under the bonds or securities so guaranteed, or under the mortgage or mortgages securing them, and all said moneys so paid (subject to the exception aforesaid) shall be deemed to be still secured by the said bonds or securities and mortgages, and the Government in respect thereof shall be subrogated in and to all the rights of the holders of the said bonds, interest upon, or the principal of which, has been so paid by the Government; and the Government in respect of all moneys so paid (subject to the exception aforesaid) and the interest thereon shall be in all respects in the position of, and shall be entitled to the rights and remedies of, bondholders in respect of whose bonds default has been made; subject, however, to the restrictions and provisions contained in the proviso and exception to clause 32 of the Agreement in respect of the interest moneys mentioned therein.

Grand Trunk Railway Co. may hold securities.

7. The Grand Trunk Railway Company of Canada may, subject to the provisions of the Agreement, acquire, hold, guarantee, pledge and dispose of stock, bonds, debentures or other

other securities of the Grand Trunk Pacific Railway Company, upon such terms as are specified in a resolution to that effect passed by the directors of the Company and sanctioned by a majority of the votes of the persons present or represented by proxy entitled to vote and voting at any annual meeting or at a special general meeting of the Company duly called for the purpose of considering the said resolution, notice of the intention to submit it having been duly given; and the certificate in writing of the chairman of such meeting, stating that such sanction was so obtained, shall be taken as sufficient evidence in all courts that the said resolution was sanctioned as by this section required.

Sanction  
required.

2. Notwithstanding anything in this Act or in the Agreement contained, His Majesty the King, acting in respect of the Dominion of Canada, shall not be bound or obliged to perform, carry out or fulfil any of the covenants, undertakings, conditions or stipulations in the Agreement contained on behalf of His Majesty, acting as aforesaid, unless and until the Grand Trunk Railway Company of Canada covenants and agrees as follows with His Majesty, acting as aforesaid:—

Agreement by  
Grand Trunk  
Railway Co.

(a.) That it will guarantee the bonds of the Grand Trunk Pacific Railway Company for the balance required for the complete construction of the Western Division in the Agreement mentioned as provided in clause 34 of the Agreement;

To guarantee  
second series  
of bonds.

(b.) That it will acquire and take the common stock of the Grand Trunk Pacific Railway Company to the amount of not less than \$24,900,000, as in clause 27 of the Agreement provided.

To hold  
\$24,900,000  
common  
stock.

3. The Grand Trunk Railway Company of Canada shall hold the said common stock to the amount aforesaid so acquired and taken as aforesaid during the entire term of the lease mentioned in clause 20 of the Agreement, and so long as any of the bonds guaranteed by the Government under the terms of the Agreement remain outstanding and unpaid; and no pledge, transfer or conveyance of any part of the said stock during the said period shall be valid or effectual.

How long such  
stock shall be  
held.

Not transfer-  
able.

8. The Eastern Division of the said Transcontinental Railway extending from the city of Moncton to the city of Winnipeg, shall be constructed by or for the Government in the manner hereinafter provided and subject to the terms and provisions of the Agreement.

Eastern  
division to be  
built by Gov-  
ernment.

9. The construction of the Eastern Division and the operation thereof until completed and leased to the Company pursuant to the provisions of the Agreement shall be under the charge and control of three commissioners, to be appointed by the Governor in Council, who shall hold office during pleasure, and who, and whose successors in office, shall be a body corporate under the name of "The Commissioners of the Transcontinental Railway" and are hereinafter called "the Commissioners."

Commis-  
sioners.



Chairman.

2. The Governor in Council may, from time to time, designate one of the commissioners to be the chairman of the Commissioners.

Secretary  
and chief  
engineer.

**10.** The Governor in Council may appoint a secretary to the Commissioners, who shall hold office during pleasure, and may also appoint a chief engineer for the Eastern Division, who shall hold office during pleasure, and who, under the instructions of the Commissioners and subject to the provisions of the Agreement, shall have the general superintendence of the construction of the Eastern Division.

Other  
employees  
and workmen.

**11.** The Commissioners may appoint and employ such engineers (under the chief engineer), and such surveyors and other officers, and also such servants, agents and workmen, as in their discretion they deem necessary and proper for the execution of the powers and duties vested in them under this Act.

Security by  
employees  
entrusted  
with money.

**12.** Any officer or employee appointed by the Commissioners who, by virtue of his office or employment, is entrusted with the custody or control of moneys, shall give security in the manner and form, so far as may be, provided by the Act respecting public officers, and in such amount as is fixed by the Commissioners.

Expropriation  
of lands.

**13.** The Commissioners may enter upon and take possession of any lands required for the purposes of the Eastern Division, and they shall lay off such lands by metes and bounds, and deposit of record a description and plan thereof in the office for the registry of deeds, or the land titles office for the county or registration district in which such lands respectively are situate; and such deposit shall act as a dedication to the public of such lands, which shall thereupon be vested in the Crown, saving always the lawful claim to compensation of any person interested therein.

When provin-  
cial crown  
lands are  
taken.

2. If the lands so required are public lands under the control of the government of the province in which they are situate, a description and plan thereof shall also be deposited in the department of the provincial government charged with the administration of such lands.

Public lands  
required for  
railway.

**14.** The Governor in Council may set apart for the purposes of the Eastern Division so much of any public lands of Canada as is shown by the report of the chief engineer to be required for the roadbed thereof, or for convenient or necessary sidings, yards, stations and other purposes for use in connection therewith; and the registration in the office for the registry of deeds, or the land titles office for the county or registration district in which such lands respectively are situate, of a certified copy of the Order in Council setting the same apart shall operate as a dedication of the said lands for the purposes of the Eastern Division.



**15.** The Commissioners shall have in respect to the Eastern Division, in addition to all the rights and powers conferred by this Act, all the rights, powers, remedies and immunities conferred upon a railway company under *The Railway Act* and amendments thereto, or under any General Railway Act for the time being in force, and the said Act and amendments thereto, or such General Railway Act, in so far as they are applicable to the said railway, and in so far as they are not inconsistent with or contrary to the provisions of this Act, shall be taken and held to be incorporated in this Act.

Powers of  
Commissioners.

**16.** The Commissioners shall let the work of constructing the Eastern Division by tender and contract after the plans and specifications therefor have been duly advertised, and they shall accept the lowest tender put in by a contractor who, in the judgment of the Commissioners, is possessed of sufficient skill, experience and resources to carry on the work or such portion thereof as he has tendered for: Provided always that no contract under this section involving an expenditure of ten thousand dollars or upwards shall be concluded by the Commissioners until it has been sanctioned by the Governor in Council.

Tenders for  
construction.

Sanction of  
Governor in  
Council if  
contract over  
\$10,000.

**17.** The contracts to be so entered into shall be guarded by such securities, and contain such provisions for retaining a portion of the contract moneys, to be held as a reserve fund for such periods of time, and on such conditions, as appear to be necessary for the protection of the public and for securing the due performance of such contracts respectively.

Security for  
performance  
of contract.

**18.** No money shall be paid to any contractor until the chief engineer has certified that the work for or on account of which it is claimed has been duly executed and that such money is due and payable, nor until such certificate has been approved by the Commissioners.

Payment upon  
certificate of  
chief engineer.

**19.** No member of the House of Commons shall hold or be appointed to any office of emolument under the Commissioners, or shall be a party to or concerned or interested in any contract with the Commissioners for the construction or working of any part of the Eastern Division, or any contract with the said Grand Trunk Pacific Railway Company for the construction or working of any part of the Western Division of the said Transcontinental Railway, or shall be a shareholder in any incorporated company having any such contract.

Member of  
House of  
Commons not  
to hold office  
of emolument  
under Com-  
mission, or  
be interested  
in contract.

**2.** Any member of the House of Commons who accepts any such office, or is a party to or concerned or interested in any such contract as aforesaid, or is a shareholder in any such incorporated company having a contract as aforesaid, shall incur the disqualifications and be subject to the penalties prescribed by sections 11 and 12 of the *Act respecting the Senate and House of Commons*; and any person holding any such office,

Penalty.

R.S.C., c. 11.

office, or being a party to or concerned or interested in any such contract, or being a shareholder as aforesaid, shall be ineligible as a member of the House of Commons.

As to  
Senators.

3. No member of the Senate shall hold or be appointed to any office of emolument under the Commissioners, and, subject to the penalties prescribed by section 18 of the *Act respecting the Senate and House of Commons* in respect of the matters therein prohibited, no member of the Senate shall be a party to or concerned or interested in any such contract as aforesaid, or be a shareholder in any such incorporated company having a contract as aforesaid.

Proviso:  
duration of  
this section.

4. Provided that upon the completion of the Western Division according to the terms of the Agreement, and upon its being duly opened for traffic, the provisions of this section with respect to contracts with the Grand Trunk Pacific Railway Company shall cease to be in force.

Salaries of  
Commis-  
sioners and  
employees.

20. The Governor in Council shall, in the first instance, fix the salary or compensation of the Commissioners, the secretary and the chief engineer, and may require that the salaries and emoluments of any or all officials or servants appointed by the Commissioners shall be subject to the approval of the Governor in Council.

Power to  
suspend work.

21. The Governor in Council may at any time suspend the progress of the work upon the Eastern Division until the next session of Parliament.

Advances  
to Commis-  
sioners.

22. The Minister of Finance and Receiver General may, on the recommendation of the Minister of Railways and Canals, from time to time pay such claims and accounts for work done or services performed in the construction of the Eastern Division as have been approved by the Commissioners and certified by the chairman: Provided, however, that no money shall be so paid until a sufficient appropriation has been made by Parliament for the purpose.

Loans  
authorized.

23. The Governor in Council may, in addition to the sums now remaining unborrowed and negotiable of the loans authorized by any Act of Parliament heretofore passed, raise by way of loan such sum or sums of money as are required for the purpose of making any payment on account of the said work as provided by the next preceding section.

Loans  
subject to  
R.S.C., c. 29.

24. The sum or sums of money by this Act authorized to be raised by way of loan shall be so raised in accordance with and under the provisions of that portion of chapter 29 of the Revised Statutes of Canada relating to the public debt and the raising of loans authorized by Parliament; and the sums so raised shall form part of the Consolidated Revenue Fund of Canada: Provided always that the rate of interest to be paid on any loan to be raised under this Act shall not exceed three and one-half per cent per annum.

Interest  
limited to 3½  
per cent.

**25.** The Commissioners shall from time to time, as moneys are required for payment for work or services in the construction of the Eastern Division, issue and deposit with the Minister of Finance and Receiver General a debenture of the Commissioners in an amount sufficient to cover such payments, which debenture shall bear date the day on which it is issued and shall be repayable in fifty years from the first day of July, 1903, and in the meantime shall bear interest at the rate of three per cent per annum payable half yearly on the first days of January and July in each year.

Issue of debentures.

**26.** The debentures so issued shall be in such form as the Governor in Council approves, and the Commissioners may issue them as provided by the next preceding section; and such debentures when issued, and the interest thereon, shall be a first lien and charge upon the Eastern Division, and upon all revenue and income derivable therefrom by the Government or by the Commissioners, after payment of all necessary charges by the Government or by the Commissioners for the maintenance or running thereof: Provided always that nothing herein shall make the Commissioners personally liable for the payment of the principal or interest of any such debenture.

Debentures to be first charge on Eastern Division.

Commissioners not personally liable.

**27.** The Commissioners may, with the approval of the Governor in Council, construct as part of the said Eastern Division, subject to all the provisions of this Act, such telegraph and telephone lines upon the Eastern Division from the city of Moncton to the city of Winnipeg as are reasonably required for the operation of the Eastern Division in connection with the said Transcontinental Railway; and the Government may agree with the Company, subject to such terms and conditions as the Governor in Council approves, that upon the completion of the Eastern Division the Company shall have the right to use such telegraph and telephone lines for the purposes only of the operation of the Eastern Division in connection with the Transcontinental Railway for the period of fifty years: Provided, however, that it shall be a term of any such agreement that, for the purposes of the lease of the Eastern Division to the Company, the cost of construction of such telegraph and telephone lines shall be added to and included in the "cost of construction" within the meaning of clause 15 of the Agreement.

Telegraph and telephone lines on Eastern Division.

**2.** Notwithstanding anything in this Act or in the Agreement, any revenue which the Company at any time directly or indirectly receives or becomes entitled to through or by reason of the use of such telegraph or telephone lines for commercial purposes shall form part of the revenues and earnings of the Company for the purposes of this Act and of the Agreement,—the whole subject to the approval of the Governor in Council as to the rates to be charged.

As to revenue therefrom.



Accounts to be rendered by Commissioners.

**28.** The Commissioners shall furnish to the Minister of Railways and Canals monthly, or more frequently if required, by the Governor in Council, accounts of all receipts, expenditures, and liabilities under this Act.

Books to be kept.

**29.** The Commissioners shall cause books to be provided and kept, and true and regular accounts to be entered therein, of all sums of money received and paid, and of the several purposes for which the same were received and paid, which books shall at all times be open to the inspection of any of the Commissioners and of the Minister of Railways and Canals, and of any person appointed by the Commissioners or the said Minister or by the Governor in Council or by the Auditor General for that purpose; and any of the persons aforesaid may take copies of, or extracts from, the said books.

Annual report by Commissioners.

**30.** The Commissioners shall make to the Governor in Council, through the Minister of Railways and Canals, an annual report for the information of Parliament setting forth the receipts and expenditures of the year, and such other matters as appear to them to be of public interest in relation to the said railway, or as the Governor in Council directs.

To be laid before Parliament.

**2.** Every such annual report shall be submitted to each House of Parliament within fifteen days after the making thereof, or within fifteen days after the commencement of the next session of Parliament, whichever first happens.

Audit of accounts.

**31.** The accounts of the Commissioners in respect of receipts and expenditures shall be subject to examination and audit by the Auditor General in the same manner as is provided by *The Consolidated Revenue and Audit Act* with respect to the accounts of the appropriation of the several supply grants comprised in the Appropriation Acts passed by Parliament.

Securities and mortgages need not be registered.

**32.** It shall not be necessary, in order to preserve the priority, lien, charge, mortgage or privilege purporting to appertain to, or be created by, any bond or debenture or other security issued, or any mortgage executed, under the provisions of this Act or of the Agreement, that such bond, debenture or other security or such mortgage shall be registered in any manner or in any place; but every such mortgage shall be deposited in the office of the Secretary of State, of which deposit notice shall be given in *The Canada Gazette*; and a copy of such mortgage, certified to be a true copy by the Secretary of State, or the Under Secretary of State, shall be received as prima facie evidence of the original in all courts of justice, without proof of the signatures or seal upon such original.

Mortgages to be deposited with Secretary of State.

Certified copies.

Customs duties on imported materials.

**33.** Nothing in this Act shall be construed to entitle any person to exemption from the payment of customs duties on



by goods imported into Canada; and it is hereby declared that the expression "direct importations of material or supplies by the Government," in clause 17 of the Agreement has reference only to such importations by the Government for the purposes of betterments of the Eastern Division for which money is expended by the Government upon capital account under clause 16 of the Agreement. Material or supplies otherwise required for or entering into the construction or betterment of the said railway were not intended to be, and shall not be, exempt from the customs duties ordinarily payable upon imported material or supplies of the same class; and the customs duties thereon when they are imported shall be included in estimating the cost of construction or the capital of construction account under the Agreement.

### SCHEDULE.

THIS AGREEMENT made the twenty-ninth day of July, 1903,  
Between :

HIS MAJESTY THE KING, acting in respect of the Dominion of Canada, and herein represented and acting by the Honourable William S. Fielding, Acting Minister of Railways and Canals,

OF THE FIRST PART;

And

SIR CHARLES RIVERS WILSON, C.B., G.C.M.G.; THE RIGHT HONOURABLE LORD WELBY, G.C.B.; JOHN A. CLUTTON-BROCK, JOSEPH PRICE, ALFRED W. SMITHERS, all of the City of London, England; CHARLES M. HAYS, FRANK W. MORSE and WILLIAM WAINWRIGHT, all of the City of Montreal, in the Dominion of Canada, and JOHN BELL, of the City of Belleville, in the said Dominion, representing herein and acting on behalf of the Grand Trunk Pacific Railway Company, a company to be incorporated by Act of the Parliament of Canada at the present Session thereof,

OF THE SECOND PART.

WHEREAS, having regard to the growth of population and the rapid development of the production and trade of Manitoba and the North-west Territories, and to the great area of fertile and productive land in all the provinces and territories as yet without railway facilities, and to the rapidly expanding trade and commerce of the Dominion, it is in the interest of Canada that a line of railway, designed to secure the most direct and economical interchange of traffic between Eastern Canada and the provinces and territories west of the great lakes, to open up and develop the northern zone of the Dominion, to promote the internal and foreign trade of Canada, and to develop commerce through Canadian ports, should be

constructed and operated as a common railway highway across the Dominion, from ocean to ocean, and wholly within Canadian territory.

THEREFORE THIS AGREEMENT WITNESSETH that the said parties have CONTRACTED AND AGREED with each other as follows:—

Interpretation.

"Government."

"Company."

Railway to be built from Moncton to the Pacific.

Eastern Division: Moncton to Winnipeg.

Western Division, Winnipeg to the Pacific.

Wholly in Canada.

Western Division divided into two sections.

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m.  
tain  
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Rocky  
Mountains to  
established.

1. His Majesty the King, acting in respect of the Dominion of Canada, by and through His Excellency, the Governor General in Council, is hereinafter called the "Government," and the said Grand Trunk Pacific Railway Company is hereinafter called the "Company."

2. A through line of railway, of the gauge of four feet eight and one-half inches, comprising two divisions, to be called the "Eastern Division" and the "Western Division," respectively, shall be constructed, in the manner hereinafter mentioned, between the city of Moncton, in the province of New Brunswick, and the navigable waters of the Pacific Ocean, at or near Port Simpson or some other port in British Columbia, as may be agreed upon. The Eastern Division shall comprise the portion of the said railway to be constructed from its eastern terminus, through the central part of the province of New Brunswick and through the province of Quebec, by the shortest available line to the city of Quebec; then westerly through the northern part of the provinces of Ontario and Quebec, and through the province of Manitoba to the city of Winnipeg; and the Western Division shall comprise the portion of the said railway between the said city of Winnipeg, or some point on the said Eastern Division, and the Pacific Ocean, extending westerly through the province of Manitoba, the North-west Territories and the province of British Columbia.

3. The said line of railway shall be constructed wholly upon Canadian territory.

4. The said Western Division is further, for convenient reference, considered as being divided into two sections, one extending from the eastern terminus thereof westerly to the eastern limit of the Rocky Mountains (herein designated as the "Prairie Section"), and the other extending westerly from the said eastern limit of the Rocky Mountains to the western terminus of the said Division (herein designated as the "Mountain Section"). The said eastern limit of the Rocky Mountains shall be established after the location of the line, and after actual surveys have determined the profile thereof upon such location, and shall be fixed and agreed upon by the chief engineer of the Company and the chief engineer of the Government as the result of such surveys, having regard to the physical features of the country, and to the cost of construction, and endeavouring as fairly as possible to determine where the more easy and less expensive work characteristic of prairie construction comes to an end, and the more difficult and expensive work characteristic of mountain construction begins, and, in case the said engineers shall differ, the question

shall be determined by the said engineers and a third arbitrator, to be chosen by them, and, in the event of their inability to agree on a third arbitrator, the Chief Justice of the Supreme Court of Canada may appoint the said third arbitrator, and the decision of the majority shall be final.

5. The said Eastern Division shall be constructed by, and at the expense of, the Government, upon such location and according to such plans and specifications as it shall determine, having due regard to directness, easy gradients and favourable curves.

Eastern Division to be built by Government.

6. The Company agrees to construct, maintain and operate the said Western Division, and to take a lease of, maintain and operate the said Eastern Division, upon the terms and conditions and in the manner hereinafter set forth.

Western Division to be built, and whole line to be operated, by Company.

7. In order to insure, for the protection of the Company as lessees of the Eastern Division of the said railway, the economical construction thereof in such a manner that it can be operated to the best advantage, it is hereby agreed that the specifications for the construction of the Eastern Division shall be submitted to, and approved of by, the Company before the commencement of the work, and that the said work shall be done according to the said specifications and shall be subject to the joint supervision, inspection and acceptance of the chief engineer appointed by the Government and the chief engineer of the Company, and, in the event of differences as to the specifications, or in case the said engineers shall differ as to the work, the questions in dispute shall be determined by the said engineers and a third arbitrator, to be chosen in the manner provided in paragraph four of this agreement.

Eastern Division to be built under joint supervision of Government and Company.

8. The construction of the said Eastern Division shall be commenced so soon as the Government has made the surveys and plans and determined upon the location thereof, and shall be completed with all reasonable despatch.

Commencement and completion of Eastern Division.

9. The Western Division shall be constructed by and at the cost of the Company, according to plans and specifications to be approved by the Government.

Construction of Western Division.

10. The work of locating and constructing the said Western Division shall be commenced forthwith after the ratification of this agreement by the Parliament of Canada and shall proceed with the utmost despatch and shall be completed within five years from the first day of December, 1903, unless prevented by the act of God, the King's enemies, internal disturbances, epidemics, floods or other causes beyond the control of the Company. And, in case of the interruption or obstruction of the work of construction from any of the said causes, the time fixed for the completion of the said Western Division shall be extended for a corresponding period.

Commencement and completion of Western Division.

11. The Company shall lay out, construct and equip the said Western Division of the said railway to a standard not inferior to the main line of the Grand Trunk Railway Company of Canada between Montreal and Toronto, so far as may be practicable in the case of a newly constructed line of rail-

Standard of Western Division.



way, but this section shall not be held to oblige the Company to construct a double track railway.

Security to be deposited by Company.

12. The Company shall within thirty days after the passing of the Act confirming this agreement and of the Act incorporating the Company hereinafter referred to, deposit with the Government five million dollars in cash or approved Government securities, or partly in cash and partly in such approved securities, at the Company's option, as security for the construction of the Western Division and for the first equipment of the whole line of railway, as provided for in this agreement; the Government shall pay interest at the rate of three per centum per annum on any cash so deposited, and shall, from time to time as received, pay over to the Company any interest received by it on the securities so deposited, unless and until the said deposit shall become forfeited to the Government or returned to the Company in the manner hereinafter provided.

Return of deposit.

13. The Government shall return the said deposit to the Company on the completion of the construction of the Western Division and the first equipment of the whole line of railway, according to the terms hereof, provided, however, that, when it is shown to the satisfaction of the Government that the application of the same will enable such construction and equipment to be completed, and that the same will be so applied, the said deposit shall be released by the Government in such instalments as may be from time to time agreed upon, but, if the Company shall make default in the performance of the obligations of the Company for the construction of the said Western Division and for the first equipment of the whole line of railway, under the terms of this agreement, treating the same as entire, then the said sum of money shall be absolutely forfeited to the Government for the use of His Majesty the King.

Forfeiture.

"Working expenditure" defined.

14. For the purposes of this agreement, the expression "working expenditure," as applied to the Eastern Division of the railway, shall mean and include all expenses of maintenance of the said Division, and of the stations, buildings, works and conveniences belonging thereto, and of the rolling and other stock and movable plant used in the working thereof, and all such tolls, rents or annual sums as are paid in respect of property leased to, or held by, the Company in respect of the said Eastern Division (apart from the rent of any other leased line), or in respect of the hire of rolling stock let to the Company as part of the equipment of the said Eastern Division, but not including the rental of the said Division payable by the Company to the Government as hereinafter provided; also all rent, charges or interest on the purchase money of lands belonging to the Company purchased for the use of the said Eastern Division, but not paid for, or not fully paid for; and also all expenses of or incidental to working the said Eastern Division and the traffic thereon, including stores and supplies and all necessary repairs and supplies to rolling stock



thereof while on the Western Division, or on the lines of another company or of the Government; also rates, taxes, insurance and compensations for accidents or losses payable in respect of the said Eastern Division; also all salaries and wages of persons employed in and about the working of the said Division and the traffic thereon, and the due proportion of all office and management expenses, including directors' fees, agency, legal, medical and other like expenses, and of any sums of money contributed to any fund for the benefit of the employees of the Company; also all costs and expenses of and incidental to the compliance by the Company with any order of the Railway Committee of the Privy Council, or of any board or authority which may hereafter be duly constituted by the Parliament of Canada for the regulation of railways and made in reference to the said Eastern Division; and, generally, all such charges, if any, not above otherwise specified, as in all cases of English railway companies are usually carried to the debit of revenue as distinguished from capital account.

15. The expression "cost of construction," in the case of the Eastern Division, shall mean and include all the cost of material, supplies, wages, services and transportation required for, or entering into, the construction of the said Eastern Division, and all expenditure for right-of-way and other lands required for the purposes of the railway and for terminal facilities, accommodation works and damages and compensation for injuries to lands and for accidents and casualties; cost of engineering, maintenance, repairs and replacement of works and material during construction, and superintendence, book-keeping, legal expenses, and, generally, costs and expenses occasioned by the construction of the said Division, whether of the same kind as, or differing in kind from, the classes of expenditure specially mentioned, including interest upon the money expended; the interest upon such outlay in each year shall be capitalized at the end of such year, and interest charged thereon at three per cent per annum until the completion of the work and until the lessees enter into possession under the terms of the said lease; and, for the purposes of this agreement, the amount of such cost of construction, including the principal and all additions for interest, to be ascertained in manner aforesaid, shall, on completion, be finally determined and settled by the Government upon the report of such auditors, accountants, or other officers as may be appointed by the Government for that purpose.

16. In case, after completion of the said Eastern Division and the taking possession thereof by the Company under the lease thereof, hereinafter referred to, or at any time thereafter during the continuance of the said lease, the Government shall deem it necessary to expend any sums of money for the improvement of the said Eastern Division, the replacement of structures by others more modern, or otherwise upon capital account for betterments, and not being "working expenditure"

"Cost of construction" defined.

Expenditure by Government on Eastern Division after lease to Company.

Approval of  
Company.

payable by the Company, the Government may expend such sums, and the amount thereof shall be added to the capital of the construction account at the end of the year in which such expenditure takes place, and shall thereafter be considered as part of the cost of construction, upon which interest, by way of rental, is to be paid by the Company; provided that no such expenditure shall be entered upon without the consent and approval of the said Company.

Cost of mat-  
erial imported  
by Govern-  
ment.

17. No addition shall be made to the cost of construction or to the capital of construction account in respect of customs duties in cases where there is direct importation of material or supplies by the Government.

Cost of  
construction  
of Western  
Division.

18. The cost of construction of the Western Division shall include the like classes of expenditure as in the case of the construction of the Eastern Division, but the amount thereof shall be established by the Company to the satisfaction of the Government periodically from time to time, and upon the completion thereof in such manner as the Government may direct or determine.

Government  
inspection of  
Company's  
books.

19. For the purpose of enabling the Government to determine the cost of construction of the said railway, or of any portion thereof, or the cost of the equipment supplied, or the net earnings of the railway, or of any part or parts thereof, pursuant to this agreement, the Government shall have the right, from time to time, and at all times, by and through such agents, engineers, accountants and inspectors as it may appoint for that purpose, to inspect all the books of account, pay-sheets, contracts, correspondence and all other books, papers and documents, the inspection of which may be considered necessary for the purpose of determining such cost or net earnings. The Company shall keep separate accounts of the earnings and expenditure of the Eastern and Western Divisions, and, for the purposes of this agreement, the earnings from through traffic shall be apportioned between the Eastern and Western Divisions, according to the usual practice of connecting lines of railway operated by two separate companies; any dispute as to the proper divisions of such earnings shall be determined by arbitrators to be appointed in the manner provided by paragraph forty-seven of this agreement. Provided, however, that, if a board of railway commissioners shall be hereafter appointed under the authority of an Act of the Parliament of Canada, having powers substantially as proposed by Bill Number 21 of the present Session of Parliament, then such dispute shall be determined by such board, from whose decision herein either party shall have the right, without leave, to appeal to the Supreme Court of Canada.

Separate  
accounts for  
two divisions.

Apportion-  
ment of  
earnings.

Settlement  
of disputes.

Lease of  
Eastern  
Division to  
Company.

20. When completed the said Eastern Division shall be leased to, and operated by, the Company for the period of fifty years, at a rental, payable as follows, namely:—For the first seven years of the said term the Company shall operate the same, subject only to payment of “working expenditure”



as defined in paragraph fourteen of this agreement; for the next succeeding forty-three years the Company shall pay annually to the Government, by way of rental, a sum equal to three per centum per annum upon the cost of construction of the said Division, ascertained in the manner defined in paragraphs fifteen and sixteen of this agreement, provided that, if, in any one or more of the first three years of the said period of forty-three years, the net earnings of the said Division, over and above "working expenditure," shall not amount to three per centum of the cost of construction, the difference between the net earnings and the rental shall not be payable by the Company, but shall be capitalized and form part of the cost of construction, upon the whole amount of which rental is required to be paid at the rate aforesaid, after the first ten years of the said lease, and during the remainder of the said term.

21. If, upon the termination of the said lease, the Government shall determine not to undertake the operation of the said Eastern Division, the Company, provided the terms offered by it are as favourable to the Government as those offered by any other railway company equally competent to perform and fulfil the obligations required by the Government to be assumed by the lessees thereof, shall have the right to an extension or renewal of the said lease for a further period of fifty years, upon such terms as may be agreed upon. Notices of the intention of the parties shall be given as may in such lease be provided. Renewal  
of lease.

22. The Company shall equip both Divisions of the said line of railway with modern and complete rolling stock suitable and amply sufficient for efficient operation and the handling of all classes of traffic to the satisfaction of the Government, and the first equipment for the completed road shall be of the value of, at least, twenty million dollars, of which not less than five million dollars worth shall be supplied for the operation of the Eastern Division of the said railway, and the said five million dollars worth of rolling stock, together with all renewals thereof and additions thereto, shall be marked as assigned to the said Eastern Division and shall be held to be and form part of the equipment of the Eastern Division of the railway during the said period of fifty years and shall be used as the equipment appertaining thereto, according to the ordinary practice of railways during the said period of fifty years. Equipment  
of railway  
by Company.

23. The lease of the said Eastern Division shall contain all necessary and proper provisions required by the Government for securing, during the entire term of the said lease, the efficient maintenance and operation of the said Division, including all repairs and renewals, and the maintenance and renewal of its rolling stock and equipment, so as to keep the said Division, in all respects, up to the standard of modern and efficient railway practice and operation, as the same shall be advanced and improved from time to time, during the whole term of said lease, it being the intention of this agreement that the said lease shall provide, in all respects, for the upkeep of the Lease of  
Eastern  
Division to  
provide for  
proper  
maintenance.

the said Eastern Division and of the equipment thereof (otherwise than by expenditure upon construction account under paragraph sixteen hereof) to the satisfaction of the Government, at the expense of the Company, after the same shall be completed and handed over by the Government to the Company for operation.

Running  
powers :

24. The said lease shall also contain proper and usual provisions,—

Of Govern-  
ment, over  
Eastern  
Division ;

(a.) Reserving to the Government in respect of its ownership, present and future, of the Intercolonial and any other line or lines of railway, running powers and haulage rights over the said Eastern Division upon equal terms with the lessees, subject to such reasonable restrictions as may be necessary to secure safety and convenience in the operation of all the traffic over the said Division and subject to the payment by the Government to the Company of such reasonable compensation as may be agreed upon between the Government and the Company ;

Of railway  
companies,  
over Eastern  
Division ;

(b.) Reserving power to the Government to grant running powers and haulage rights sufficient to enable any railway company desiring to use the said Eastern Division or any part thereof, to do so upon such terms as may be agreed upon between the companies, or, in case of their failure to agree, then upon such terms as may be deemed reasonable and just by the Government, having regard to the rights and obligations of the lessees ;

Of Govern-  
ment, over  
Western  
Division ;

(c.) Securing to the Government, in respect of its ownership as aforesaid, running powers and haulage rights over the Western Division, or any portion thereof, upon such terms as may be agreed upon between the Government and the Company ;

Of railway  
companies,  
over Western  
Division ;

(d.) Securing to any railway company, desiring to make use of the same, running powers and haulage rights over the said Western Division, or any portion thereof, upon such terms as may be agreed upon between the companies, or, in case of their failure to agree, then upon such terms as may be deemed reasonable and just by the Government ;

Of Company,  
over Inter-  
colonial.

(e.) Securing to the Company running powers and haulage rights over the Intercolonial Railway, or any portion thereof, upon such terms as may be agreed upon between the Government and the Company.

Arbitration  
of disputes.

(2.) If, in any question arising under the provisions of subparagraphs (a), (c) and (e) of this paragraph, the parties shall fail to agree, the matter in difference shall be determined by arbitrators, to be appointed in the manner provided by paragraph forty-seven of this agreement : Provided, however, that, if a Board of Railway Commissioners shall be hereafter appointed under the authority of an Act of the Parliament of Canada, having powers substantially as proposed by Bill number 21 of the present Session of Parliament, then such dispute shall be determined by such Board, from whose decision



herein either party shall have the right, without leave, to appeal to the Supreme Court of Canada.

25. The said lease shall also contain such other covenants and provisions, including proper indemnity to the Government in respect of the working of the railway, as may be deemed necessary by the Government to secure the proper carrying out of this agreement. Other conditions of lease.

26. The capital stock of the Company shall be forty-five million dollars, of which not more than twenty million dollars shall be preferred and not less than twenty-five million dollars common stock. Capital of Company.

27. The Company undertakes that the Grand Trunk Railway Company of Canada shall acquire and take the said common stock to the amount of twenty-five million dollars, except shares held by directors, not exceeding one thousand shares, and shall hold the same during the term of the said lease, and so long as any of the bonds guaranteed by the Government under the terms of this agreement shall remain outstanding unpaid. Grand Trunk Railway Co. to hold \$25,000,000 common stock.

28. For the purpose of aiding the Company in the construction of the Western Division, the Government shall guarantee payment of the principal and interest of an issue of bonds to be made by the Company for a principal amount equal to seventy-five per centum of the cost of construction of the said division, as defined and ascertained in accordance with the provisions of paragraph eighteen hereof; but such principal amount shall not, in any case, exceed thirteen thousand dollars per mile of the mileage of the prairie section, nor thirty thousand dollars per mile of the mileage of the mountain section, although seventy-five per centum of such cost of construction may have exceeded the said respective sums per mile. Government guarantee of Company's bonds.

29. Such bonds may be issued in such denominations in the currency of the Dominion of Canada, or in the sterling money of Great Britain, as may be agreed upon; and the principal of such bonds shall be payable in fifty years from the date of issue, and the said bonds shall be dated and issued, and the guarantee of the Government endorsed thereon, so soon as the Western Division is constructed and equipped ready for operation, in accordance with the provisions of this agreement, provided that the Eastern Division is then also furnished with the first equipment required by this agreement, or that the deposit hereinbefore provided for is then still unforfeited in the hands of the Government. Denomination of bonds. Redemption. When bonds may be issued.

30. The said bonds shall bear interest at the rate of three per centum per annum, payable half yearly, and shall have attached thereto coupons representing the instalments of interest thereon, and shall be in such form as the Government shall determine. Interest on bonds.

31. The Company shall pay the interest upon an amount of bonds equal to the principal of the bonds guaranteed by the Government on account of the construction of the Prairie Section, as mentioned in paragraph twenty-eight hereof, from Interest on Prairie Section bonds.

the date of issue thereof, and, should default be made by the Company in payment thereof, or of any part thereof, the Government shall pay the same, and take up the coupons representing such interest; and moneys so paid by the Government under its guarantee, whether for principal or interest, of the said bonds, shall be held to be paid in discharge of the liability of the Government, but not in discharge of the liability of the Company with respect to the said bonds, and any moneys so paid by the Government shall continue to be a charge under the mortgage to be given to secure the said guaranteed bonds hereinafter mentioned, and the Government shall be subrogated to all the rights of the holders of the said bonds, the interest upon or the principal of which shall have been paid by the Government, and the Government shall, in respect of all moneys which it may so pay, be, in all respects, in the position of holders of bonds in respect of whose bonds default has been made to the extent of the moneys so paid by the Government.

Interest on  
Mountain  
Section bonds  
for first seven  
years.

During next  
three years.

32. The Government shall pay the interest upon an amount of bonds equal to the principal of the bonds guaranteed by the Government on account of the construction of the Mountain Section accruing due during the first seven years from the date of the issue of said bonds, and shall not have recourse against the Company for any interest so paid. After the expiration of the said period of seven years the Company shall be primarily liable to pay the said interest, and, should default be made by the Company in payment thereof, or of any part thereof, the Government shall pay the same and take up the coupons representing such interest, and any moneys so paid by the Government under its guarantee, whether for principal or interest, of the said bonds shall be held to be paid in discharge of the liability of the Government, but not in discharge of the liability of the Company with respect to the said bonds, and any moneys so paid by the Government shall continue to be a charge under the said mortgage, to be given to secure the said guaranteed bonds hereinafter mentioned, and the Government shall be subrogated to all the rights of the holders of the said bonds, the interest upon or the principal of which shall have been paid by the Government, and the Government shall, in respect of all moneys which it may so pay, be, in all respects, in the position of holders of bonds in respect of whose bonds default has been made to the extent of the moneys so paid by the Government, subject to the following proviso and exception, namely,—That the Government shall not, during the next succeeding period of three years following the period of seven years above mentioned, be entitled to exercise any rights of foreclosure or sale against the Company, or to take possession of the said railway, if the default of the Company consists in failure to pay during the said period of three years the interest upon an amount of bonds equal to the principal amount guaranteed by the Government on account of the construction of the said Mountain Section, but any moneys so paid by the Government shall be repaid by the Company to the Govern-

ment in the following manner :—At the end of the said period of three years the whole amount so paid by the Government shall be capitalized and shall be repaid by the Company to the Government, with interest at the rate of three per centum per annum, or the Company may, at its option, repay the same in forty equal annual instalments, with interest at the rate aforesaid, or may give to the Government bonds for the said interest so capitalized payable in forty years from the date thereof, with interest at the rate aforesaid : in any event, the interest so capitalized and the bonds so to be given therefor, if any, shall continue to be secured by the said mortgage to secure the bonds guaranteed by the Government, hereinafter mentioned, and the said mortgage shall contain proper provisions in that behalf.

Repayment  
by Company.

33. After the period of ten years from the issuing of the said bonds and until the principal of the said bonds is paid, the Company shall pay the interest thereon, and, should default be made by the Company in payment of the said interest, or of any part thereof, the Government shall pay the same and take up the coupons representing such interest. Any moneys so paid by the Government shall be deemed to be paid in discharge of the liability of the Government, but not in discharge of the liability of the Company with respect thereto, but the Government shall be entitled to immediate payment thereof by the Company and shall thereafter, until such repayment by the Company, be subrogated to all the rights of the original holders of said coupons against the Company.

Interest on  
bonds after  
ten years.

34. Inasmuch as the bonds to be guaranteed by the Government only make provision for a part of the cost of construction of the Western Division, the Company hereby agrees that The Grand Trunk Railway Company of Canada shall guarantee bonds of the Company for the balance required for the construction of said Western Division, exclusive of the said twenty million dollars required for first equipment, which the Company is required to provide under paragraph twenty-two of this agreement, and the Company may issue a second series of bonds, to be guaranteed as aforesaid by The Grand Trunk Railway Company of Canada to be a second charge upon the property described in paragraph twenty-five (b) hereof, and to be subject to, and to rank upon, the said property next after the said bonds so to be issued and guaranteed by the Government.

Second series  
of bonds guaranteed by  
Grand Trunk  
Ry. Co.

Rank after  
bonds guaranteed by Government.

(2.) The expression "bonds" wherever used in this agreement shall be deemed to include debentures and debenture stock.

"Bonds" defined.

35. For the purposes hereinafter in this paragraph respectively defined, the Company may and shall create mortgages to trustees, as follows :—

Mortgages :

(a.) A mortgage which shall be a first charge upon the railway, undertaking, equipment and property, tolls, rights and franchises of the Company, including all equipment and property to be thereafter acquired by the Company (but not

To secure  
bonds guaranteed by  
Government :



including branch lines exceeding six miles in length or the revenues therefrom or the franchises in connection therewith, or such additional rolling stock as may, with the assent of the Government, be designated and marked by the Company as constituting the equipment thereof, and not including ships or any municipal or provincial grants of land, by way of bonus or subsidy, to the said Company other than for railway purposes) to secure the payment of the said issue of first mortgage bonds guaranteed by the Government.

To secure bonds guaranteed by Grand Trunk Ry. Co :

(b.) A mortgage which shall be a second charge upon the property covered by the mortgage provided for by paragraph thirty-five (a), save and except the rolling stock constituting the equipment of the Eastern Division, to secure the bonds to be guaranteed by The Grand Trunk Railway Company of Canada as aforesaid.

To secure observance of agreement, etc.

(c.) A mortgage which shall be a charge upon the rolling stock constituting the equipment of the Eastern Division next after the charge mentioned in paragraph thirty-five (a) to secure to the Government the rental payable in respect of the Eastern Division, the efficient maintenance and continuous operation of the said Eastern Division, and the observance and performance by the Company of the terms of this agreement.

Forms of bonds and mortgages.

(2.) The said several mortgages and all bonds and securities required to carry this agreement into effect shall be in such form and contain such provisions not inconsistent with the terms hereof, as the Government may approve.

Issue of interim bonds.

36. Notwithstanding any of the provisions of this agreement, interim bonds of the Company secured by first mortgage may, from time to time, during, and for the purposes of the work of constructing the said Western Division, be issued by the Company and guaranteed by the Government, as may be agreed upon from time to time, subject to all the limitations and conditions imposed by this agreement; provided, however, that all such interim bonds shall be issued upon such terms that, upon the completion of the said Western Division, the same, or so much thereof (principal and interest) as may be then outstanding, shall be convertible, as against the holders thereof, into bonds issued under the provisions of paragraph twenty-eight hereof.

Conversion thereof on completion of Western Division.

Purchase of material and supplies.

37. The Company shall purchase all material and supplies required for the construction of the Western Division and the equipment of the whole of the said line of railway from Canadian producers, when the same are produced in Canada and when such material and supplies can be purchased in desired quantities and of equal quality suitable for the purpose required, and for prices and upon terms equally advantageous with those procurable elsewhere.

Railway Act to apply.

38. The Railway Act of Canada, and any amendments enacted heretofore or which shall hereafter be enacted, shall apply to the operation of the Eastern Division by the Company, and to the rights, liabilities and obligations of the Com-



pany as lessees thereof, and to the location, construction and operation of the Western Division thereof, except as otherwise provided by this agreement, by the Act confirming the same or by any special Act of the Company. Exceptions.

39. The rates and tolls to be levied and taken by the Company upon any part of the said railway shall be under the control of the Governor in Council, or of such authority, commission or tribunal as is designated or constituted under any Act of the Parliament of Canada for the regulation or control of the business of railways. Control of rates.

40. The Company shall, before being entitled to the guarantee provided by this agreement, furnish evidence, satisfactory to the Government, that all just claims of contractors and for materials, wages and supplies, and all just claims against contractors and sub-contractors for materials, wages and supplies, entering into and supplied for the construction of the railway have been duly paid. Government guarantee conditional on payment of contractors and wages.

41. At all times during the terms of the said lease, the Company shall continuously and efficiently operate both divisions of the said railway, giving due and sufficient service for the accommodation of all traffic to the satisfaction of the Government. Efficiency of service.

42. It is hereby declared and agreed between the parties to this agreement that the aid herein provided for is granted by the Government of Canada for the express purpose of encouraging the development of Canadian trade and the transportation of goods through Canadian channels. The Company accepts the aid on these conditions, and agrees that all freight originating on the line of the railway, or its branches, not specifically routed otherwise by the shipper, shall, when destined for points in Canada, be carried entirely on Canadian territory, or between Canadian inland ports, and that the through-rate on export traffic from the point of origin to the point of destination shall at no time be greater via Canadian ports than via United States ports, and that all such traffic, not specifically routed otherwise by the shipper, shall be carried to Canadian ocean ports. Conditions of aid by Government.  
Routing of freight.

43. The Company further agrees that it shall not, in any matter within its power, directly or indirectly advise or encourage the transportation of such freight by routes other than those above provided, but shall, in all respects, in good faith, use its utmost endeavours to fulfil the conditions upon which public aid is granted, namely,—the development of trade through Canadian channels and Canadian ocean ports. Preference to Canadian ports.  
Company to develop trade through Canadian channels.

44. In respect of the tolls for any traffic carried partly over any line of railway operated by the Company, and partly over any of the lines of the Intercolonial Railway, a fair and equitable ratable division of all such tolls shall be made by mutual agreement, or, in case of dispute, such division shall be fixed by arbitrators appointed in the manner provided by paragraph forty-seven of this agreement, or by a board of commissioners which may hereafter be duly appointed as mentioned in paragraph Division of tolls for traffic over Company's line and Inter-colonial.

graph nineteen of this agreement, and with the right of appeal as therein mentioned.

Shipping facilities on Atlantic and Pacific.

45. The Company shall arrange for and provide, either by purchase, charter or otherwise, shipping connections upon both the Atlantic and Pacific oceans sufficient in tonnage and in number of sailings to take care of and transport all its traffic, both inward and outward, at such ocean ports within Canada, upon the said line of railway, or upon the line of the Intercolonial Railway, as may be agreed upon from time to time, and the Company shall not divert, or, so far as it can lawfully prevent permit to be diverted, to ports outside of Canada any traffic which it can lawfully influence or control, upon the ground that there is not a sufficient amount of shipping to transport such traffic from or to such Canadian ocean ports.

Traffic not to be diverted out of Canada.

Grant of lands required for railway.

46. The Government shall procure to be granted to the Company, in so far as the same are vested in His Majesty in right of the Dominion of Canada, such lands as may be required for the right-of-way of the Western Division, and for all stations, station grounds, work shops, buildings, yards and appurtenances required for the construction and working thereof, and shall also procure to be granted to the Company, upon such terms as may be agreed upon, in so far as the same are so vested in His Majesty, such lands fronting upon and covered by navigable waters touched by the line of the railway as, in the judgment of the Government, may reasonably be required for the use of the Company in connection with its operations. The right of the Company to obtain such lands without compensation shall cease when the said division is constructed and equipped as required by paragraph twenty-nine hereof.

Arbitration of disputes.

47. Any dispute which may arise as to the meaning or construction of this agreement, or as to the performance of any of the obligations of either of the parties to this agreement, or as to working expenditure or cost of construction, shall, if not herein otherwise provided for, be determined by the award of a single arbitrator, if the parties concur in his appointment, or if not, by the award of three arbitrators, one of whom shall be appointed by the Government, one by the Company, and the third by the two so appointed, or, in the case of their being unable to agree, by the Chief Justice of the Supreme Court of Canada, and the award of a majority of such three arbitrators, shall be final.

Appointment of director by Government.

48. During the term of the said lease, and so long as the Government remains liable for any portion of the bonds issued by the Company, the Government shall have the right to appoint one director of the Company. Such director shall not receive any remuneration from the Company, but shall be paid a salary by the Government, not to exceed two thousand dollars per annum.

Company to be incorporated.

49. The Company has applied to the Parliament of Canada for an Act of Incorporation, and this agreement shall be binding only in the event of said Act, conferring upon the Com-

pany sufficient powers to enable it to carry out the provisions of this agreement, being passed at the present Session of Parliament, and this agreement shall then be assumed by, and become binding upon, the said Company.

50. This agreement shall be submitted to and be subject to ratification by the Parliament of Canada.

Ratification  
by Parlia-  
ment.

In Witness whereof, the said William S. Fielding, Acting Minister of Railways, acting on behalf of His Majesty the King, hath hereunto set his hand and seal, and the said parties hereto of the Second Part, representing herein and acting on behalf of The Grand Trunk Pacific Railway Company, a company to be incorporated by Act of Parliament of Canada at the present Session thereof, have also set their hands and seals.

Signed, Sealed and Delivered in the presence of:	{	(Signed)	C. RIVERS WILSON,
		"	WELBY,
		"	JOHN A. CLUTTON-BROCK,
		"	JOSEPH PRICE,
		"	ALFRED W. SMITHERS,
			Per CHARLES M. HAYS.
(Signed) F. H. CHRYSLER, W. H. BIGGAR,	{	(Signed)	CHARLES M. HAYS,
		"	FRANK W. MORSE,
		"	JOHN BELL.
			Per CHARLES M. HAYS.
	{	(Signed)	WM. WAINWRIGHT.

Signed, sealed and delivered in the presence of  
GERALD G. RUEL.

W. S. FIELDING,  
*Acting Minister of Railways  
and Canals.*









## 3 EDWARD VII.

### CHAP. 72.

#### An Act to amend the Weights and Measures Act.

[Assented to 25th June, 1903.]

**H**IS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

1. Section 8 of *The Weights and Measures Act*, chapter R.S.C., c. 104, of the Revised Statutes, is amended by striking out the s. 8 amended. word “deputy” in the second line and substituting therefor the word “assistant.”

2. Section 29 of the said Act is amended by adding the following subsection thereto :— Section 29 amended.

“4. Postal scales, when engraved and stamped as such, and of a capacity not exceeding four pounds, and not used for trade purposes, may be sold without inspection under such regulations as the Department of Inland Revenue prescribes; but any person using such scales for other than postal purposes shall be liable to the penalties prescribed by subsection 1 of this section.” Exception as to postal scales.

3. Section 54 of the said Act is amended by striking out the word “deputy” in the sixth line and substituting therefor the word “assistant.” Section 54 amended.

4. Notwithstanding anything in the said Act, the charge for the threshing of grain may, until a suitable scale or measuring apparatus therefor that may be verified is provided and has been approved by an order of the Governor in Council, be determined by any device which records, automatically or otherwise, the number of discharges made. Charge for threshing grain, how determined.

2. The quantity threshed and upon which the charge for threshing is to be based shall be determined by check-weights on a properly verified scale such number of times per day as is agreed upon between the operator of the threshing machine and the owner of the grain threshed; and the aggregate quantity thus established shall be that for which threshing Quantity threshed, how determined.

Recovery  
of charges.

charges shall be payable ; and such charges may be recovered in any court of law or equity.

Repeal of  
this section  
when proper  
apparatus  
available.

3. This section may be repealed by order of the Governor in Council whenever it is established to his satisfaction that an apparatus complying with the provisions of this Act is available.

1898, c. 30,  
s. 6 amended.

5. Subsection 2 of section 6 of chapter 30 of the statutes of 1898 is repealed.

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most Excellent Majesty.



## 3 EDWARD VII.

### CHAP. 73.

#### An Act to amend the Yukon Territory Act.

[Assented to 25th June, 1903.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

1. Notwithstanding anything contained in *The Yukon Territory Act*, chapter 6 of the statutes of 1898, or in any Act in amendment thereof, the Commissioner in Council may make ordinances respecting the summoning of juries and the enforcement of the attendance of jurors, for the trial of civil and criminal cases, and respecting the payment of the costs and expenses in connection therewith. .
2. Section 4 of chapter 35 of the statutes of 1902 is hereby amended by inserting, after the word "court" where it first occurs in the second line of subsection one of that section, the words "in banc."

Powers to make ordinances.

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1899, c. 11 ;  
1900, c. 34 ;  
1902, c. 34.

1902, c. 35,  
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Supreme  
Court  
of Canada.

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## 3 EDWARD VII.

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### CHAP. 74.

An Act further to amend the Yukon Territory Act.

[Assented to 24th October, 1903.]

**H**IS Majesty, by and with the advice and consent of the <sup>1898, c. 6.</sup> Senate and House of Commons of Canada, enacts as follows:—

**1.** Two judges shall constitute a quorum of the Territorial Court in banc: Provided that where there are only two judges sitting upon an appeal the trial judge or the judge from whose decision the appeal is taken shall not be one of them. <sup>Quorum of Territorial Court.</sup>

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